



AGENDA COMMON COUNCIL

Tuesday, May 3, 2011

**To immediately follow the 6:30 p.m. Committee of the Whole meeting
Common Council Chambers, 224 East Jefferson Street**

Mayor Robert Miller
Robert Prailes, Alderman, 1st District
Edward Johnson, Alderman, 1st District
Jim Prailes, Alderman, 2nd District
Peter Hintz, Alderman, 2nd District
Tom Vos, Council President and Alderman, 3rd District
Steve Rauch, Alderman, 3rd District
Katie Simenson, Alderman, 4th District
Jeff Fischer, Alderman, 4th District

Student Representatives

David Martin, Burlington High School
Lauren Nadolski, Burlington High School

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Citizen Comments.
4. Chamber of Commerce Representative.
5. Approval of the Common Council minutes for April 19, 2011. (*J. Prailes*)
6. Letters and Communications: None
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-10: (*P. Hintz*)
 - Report 1 – Plan Commission minutes, February 8, 2011
 - Report 2 – Park Board minutes, February 17, 2011
 - Report 3 – Board of Public Works minutes, March 10, 2011
 - Report 4 – Board of Public Works minutes, March 17, 2011
 - Report 5 – Library Board minutes, March 22, 2011
 - Report 6 – Burlington Housing Authority minutes, March 24, 2011
 - Report 7 – Airport Committee minutes, March 24, 2011
 - Report 8 – Historic Preservation Commission minutes, March 24, 2011
 - Report 9 – Committee of the Whole minutes, April 6, 2011
 - Report 10 – Plan Commission minutes, April 12, 2011

9. Payment of Vouchers. (*T. Vos*)
10. Licenses and Permits. (*S. Rauch*)
11. Appointments and Nominations: None
12. **PUBLIC HEARINGS:**
 - A. A Public Hearing to hear public comment regarding amending Section 6-2A of the Municipal Code of the City of Burlington, "Membership Requirements for the Board of Review".
(*K. Simenson*)
13. **RESOLUTIONS:**
 - A. Resolution 4477(2) to consider dissolving and terminating TIF District Number Four and authorizing the City Treasurer to distribute excess increment to overlaying taxing districts. This item was discussed at tonight's Committee of the Whole meeting. (*J. Fischer*)
14. **ORDINANCES:** None
15. **MOTIONS:**
 - A. Motion 11-705 to approve a Certificate of Appropriateness Application in the Historic Preservation Overlay District for 500 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. (*R. Prailes*)
 - B. Motion 11-706 to approve a Certificate of Appropriateness Application and Sign Permit in the Historic Preservation Overlay District for 573 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. (*E. Johnson*)
 - C. Motion 11-707 to approve a Certificate of Appropriateness Application and Sign Permit in the Historic Preservation Overlay District for 588 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. (*J. Prailes*)
 - D. Motion 11-708 to approve a Certificate of Appropriateness Application in the Historic Preservation Overlay District for 596 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. (*P. Hintz*)
16. **ADJOURN INTO CLOSED SESSION** (*T. Vos*)
 1. Wis. Stats 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
 - To discuss contract services between the City of Burlington and Town of Burlington for Police and Fire services.

17. **RECONVENE INTO OPEN SESSION** *(S. Rauch)*

1. Consideration on recommendations from the City Council.

18. **ADJOURNMENT** *(K. Simenson)*

Note: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Agenda Item Number: 5	Date: May 3, 2011
Submitted By: Beverly R. Gill, City Clerk	Subject: Meeting Minutes

Details:

Attached please find the Common Council meeting minutes from April 19, 2011. Staff recommends approval of these minutes.

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Common Council approve these minutes at the May 3, 2011 Common Council meeting.

City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
April 19, 2011

1. CALL TO ORDER - ROLL CALL OF OUTGOING COUNCIL MEMBERS

Mayor Miller called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Robert Prailes, Edward Johnson, Peter Hintz, Jim Prailes, Tom Vos, Steve Rauch, Jeff Fischer, Katie Simenson
Student members present: David Martin Absent: Lauren Nadolski

Staff present: City Attorney John Bjelajac, Judge Marvin V. Daniel, City Administrator Kevin Lahner, Assistant to the Administrator Megan Johnson, Treasurer Steve DeQuaker, Police Chief Peter Nimmer, Fire Chief Dick Lodle

2. PLEDGE OF ALLEGIANCE

Mayor Miller led the council, staff and audience in the Pledge of Allegiance.

3. APPROVAL OF APRIL 6, 2011 COUNCIL MINUTES

A motion was made by Vos with a second by Simenson. With all in favor, the motion carried.

4. ELECTION REPORT FROM APRIL 5, 2011

A motion was made by Hintz with a second by Rauch to accept the April 5, 2011 Election Report. With all in favor, the motion carried.

5. ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

At this time the Honorable Judge Marvin V. Daniel administered the oath of office to: First District Alderman Robert Prailes, Second District Alderman Peter Hintz, Third District Alderman Steve Rauch and Fourth District Alderman Katie Simenson.

6. ROLL CALL OF NEW COUNCIL MEMBERS

Roll call of new council members: Bob Prailes, Edward Johnson, Peter Hintz, Jim Prailes, Tom Vos, Steve Rauch, Jeff Fischer, Katie Simenson

7. APPOINTMENT OF TELLERS

The mayor appointed Megan Johnson and Chief Nimmer as tellers

8. ELECTION OF COUNCIL PRESIDENT

A motion was made by Rauch to nominate Vos as Council President with a second by Jim Prailes. Hintz moved to close the nominations with a second by Jim Prailes. With all in favor, Vos was elected Council President.

9. ELECTION OF TWO ALDERMANIC REPRESENTATIVES TO CITY PLAN COMMISSION

A motion was made by Vos to nominate Bob Prailes to the Plan Commission with a second by Hintz. A motion was made by Hintz to nominate Vos to the Plan Commission with a second by Jim Prailes. A motion was made by Johnson to close the nominations with a second by Jim Prailes. With all in favor, Bob Prailes and Vos were elected to be representatives to the Plan Commission.

10. ELECTION OF ALDERMANIC REPRESENTATIVE TO THE BOARD OF PUBLIC WORKS

A motion was made by Rauch with a second by Vos to nominate Simenson to the Board of Public Works. A motion to close nominations was made by Johnson with a second by Hintz. With all in favor, Simenson was elected to the Board of Public Works.

11. PAYMENT OF VOUCHERS

A motion was made by Hintz with a second by Bob Prailes to approve pre-paid, vouchers and reimbursements in the amount of \$358,379.22. Simenson questioned an electric bill for the parking structure and asked if this was the same bill that she had questioned previously but has not seen a decrease in the amount of the bill. Lahner confirmed that it was the same bill. Simenson then questioned if the bill listed for E-Vergent Wireless in the amount of \$16,095.00 was included in the construction costs of the DPW. Lahner stated that it was included in the construction costs. Vos questioned the bill from ABS Mixers. Lahner replied that it was part of the radium removal project. Vos was concerned that the city was paying the bill before receiving the items. Lahner replied that this was the start of the process and the equipment needed to be in place at this time. Johnson inquired of the Veolia bill in the amount of \$41,564.09 and asked what time period that covered. Lahner will confirm the dates. Simenson questioned the electric bill for Sheldon Street. Lahner thought there may have been additional electrical usage because of moving equipment out of the building. The mayor also stated that it is the pump house for the well. Roll Call Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None With all in favor, the motion carried 8-0

12. LICENSES AND PERMITS

A motion was made by Rauch with a second by Vos to approve the licenses as presented. With all in favor, the motion carried.

13. STATE OF THE CITY ADDRESS

Mayor Miller delivered the following "State of the City" address:

How is the City doing? I am asked that question several times a week. The short answer is "Great". What that answer does not tell you is how we got to great, and what is still going on that keeps us great.

Fifteen years ago the City undertook a 30 million dollar improvement project. That project included acquiring rundown properties along the river, moving several businesses out of downtown and building an overpass over the railroad. As part of this project, incentive packages were put into place to help business relocate from downtown as well as luring business into moving into the City. Each package was different and things that might have been included were low interest, low land prices, state tax incentives as well as streamlining the approval process to help the business move as quickly as possible.

The improvement process that was set up has worked and is still working today. If we take a look around our City, the fruits of this improvement plan are clearly visible. The railroad overpass which now allows traffic to move through the City when one of 35 trains a day rolls through. The Hi-Liter Graphic plant, Veterans Trucking, Basset Wheel, Scherrer Construction, Circle Inc. and Rexcon located in the Burlington Office and Manufacturing Park. The Boardwalk, and Charcoal Grill moved into our Downtown, and the River walk replaced several empty buildings. Wal-mart, Kohl's, Menard's, Wendy's, Taco Bell are just some of the new business's that have located here because of our Improvement Plan.

The US Department of Commerce has referred other Cities throughout the Country to Burlington as an example of how to revitalize and redevelop.

All of this new growth and new businesses has created new jobs and has attracted even more inquiries from companies that are expanding. Other states and cities are also looking to attract new business and in this economy we have to be just as aggressive as possible, if we are going to keep the businesses we have and to attract new companies.

Last year over 3 million dollars were spent repairing and rebuilding city streets. As we all know, the most common statement heard last year was "You can't get there from here". These repairs helped the city get somewhat caught up, so for the next two or three years we will not have to undertake any major street repairs.

Last year the City was still growing and changing. The Hampton Inn was built, along with the new parking garage downtown. M&I Bank moved into their new building. The new Department of Public works building was finished and the Street, Park and Water Departments are settling in.

This year the City will continue to work with companies and business that are looking to relocate or expand. As in the past we will carefully analyze the project and the costs involved to insure that the project is a good fit and that it does not exceed the City's capacity to provide the incentive.

Work will soon start on the 2012 Budget. We have received some preliminary numbers from the State, and have read the Budget Repair Bill. We are in the process of looking at the impact of the State's Budget on our budget. To assist the City we will be forming a Citizens Budget committee. The purpose of this Committee will be to develop a City Budget for 2012. The Citizens Budget will then be presented to the City Council to aid the Council in adopting a 2012 Budget.

I am confident that the 2012 Budget can be adopted with little or no change to City service. In addition the City will still be able compete and attract new companies to Burlington. I am still committed to keeping our City growing by working with retail and industrial businesses as well as developers to ensure that Burlington can remain a great place to live work and play.

14. & 15. APPOINTMENT OF ALDERMANIC REPRESENTATIVES AND OTHER APPOINTMENTS

A motion was made by Vos with a second by Jim Prailes to approve the appointments as presented. With all in favor, the following were appointed to various committees:

Airport Committee	Jim Prailes
ChocolateFest Committee	Ed Johnson
Community Development Authority	Jeff Fischer
Historic Preservation Committee	Peter Hintz
Library Board	Steve Rauch
Park Board	Robert Prailes
Western Racine County Health Department	Katie Simenson

Jim Spiegelhoff	Board of Review	5/1/2014
Ralph Heck	Burlington Housing Authority	5/1/2016
Patricia Hoffman	Library Board	5/1/2014
Michael Kelly	Library Board	5/1/2014
Jon Schultz	Park Board	5/1/2014
Kelly Kamlager	Park Board	5/1/2014
Darrel Eisenhardt	Park Board	5/1/2014
Mike Deans	Plan Commission	5/1/2014
John Hotvedt	Police & Fire Commission	5/1/2016
Cheryl Mazmanian	Health Officer	5/1/2012

16. ADJOURNMENT

A motion was made by Vos with a second by Rauch to adjourn the meeting. With all in favor, the meeting adjourned at 6:52 p.m.

Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth Counties



CITY OF BURLINGTON

Administration Department
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(262) 342-1161 – (262) 763-3474 fax
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Common Council Agenda Item Number: 8	Date: May 3, 2011
Submitted By: City Staff	Subject: Reports 1-10

Details:

Attached please find the following reports:

- Report 1 – Plan Commission minutes, February 8, 2011
- Report 2 – Park Board minutes, February 17, 2011
- Report 3 – Board of Public Works minutes, March 10, 2011
- Report 4 – Board of Public Works minutes, March 17, 2011
- Report 5 – Library Board minutes, March 22, 2011
- Report 6 – Burlington Housing Authority minutes, March 24, 2011
- Report 7 – Airport Committee minutes, March 24, 2011
- Report 8 – Historic Preservation Commission minutes, March 24, 2011
- Report 9 - Committee of the Whole minutes, April 6, 2011
- Report 10 – Plan Commission minutes, April 12, 2011

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the May 3, 2011 Common Council meeting.



CITY OF BURLINGTON

Administration Department

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**Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
February 8, 2011, 6:30 p.m.**

Mayor Robert Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. Roll call: Alderman Robert Prailes; Commissioners Chris Reesman, John Lynch, and Michael Deans and Student Representative Andrew Krismer were present. Commissioner Darrel Eisenhardt and Student Representative Sarah Strong were excused. Aldermen Tom Vos and Town of Burlington Representative Phil Peterson were absent. Also present were City Administrator Kevin Lahner and Zoning Administrator Patrick Scherrer.

APPROVAL OF MINUTES

Commissioner Lynch moved and Alderman Prailes seconded to approve the minutes of January 11, 2011. All were in favor and the motion carried.

CITIZEN COMMENTS

None

LETTERS & COMMUNICATIONS

None

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding a Conditional Use Application from Logan and Barbara Kaplon for property located at 217-219 E. Market Street to convert the dwelling to a single-family residence.

- Mayor Miller opened the public hearing at 6:34 p.m.
- There were no comments. Alderman Prailes moved and Commissioner Reesman seconded to close the Public Hearing at 6:35 p.m. All were in favor and the motion carried.

OLD BUSINESS

None.

NEW BUSINESS

A. Consideration to approve a Conditional Use Permit Application and Site Plan from Logan and Barbara Kaplon for property located at 217-219 E. Market Street to use the existing two-family dwelling as a single-family residence.

- Mayor Miller opened this issue for discussion.

- There were no comments.

Commissioner Lynch moved and Commissioner Deans seconded to approve a Conditional Use and Site Plan Application for 217-219 E. Market Street, subject to Patrick Meehan's January 24, 2011 memorandum to the Plan Commission.

B. Consideration to recommend Ordinance 1922(25) to the Common Council to create Section 315-64Q titled "Off-Premise Signs" under "Exceptions" for required sign permits in the Municipal Code.


- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned if this ordinance was written specifically for the parking lot on Bridge Street or if it can be applied to other areas in the city. Administrator Lahner stated it is city-wide and can be applied to similar situations where there is an off-premise parking lot for a business.
- Commissioner Lynch questioned if this ordinance would require a sign permit applicant to get Plan Commission approval. Lahner responded it would allow the Building Inspector to approve the sign permit like other permits.
- There were no further comments.

Alderman Prailes moved and Commissioner Reesman seconded to recommend approval of Ordinance 1922(25).

All in favor and the motion carried.

ADJOURNMENT

Commissioner Lynch moved and Commissioner Deans seconded to adjourn the meeting at 6:40 p.m.
All were in favor and the motion carried.



Recording Secretary
Megan E. Johnson
Assistant to the City Administrator



CITY OF BURLINGTON

Department of Public Works
Streets, Parks and Water Department
2200 S Pine Street, Burlington, WI, 53105
(262) 539-3770 – (262) 539- fax
www.burlington-wi.gov

CITY OF BURLINGTON PARK BOARD MINUTES THURSDAY, FEBRUARY 17, 2011

Chairman Darrel Eisenhardt, Commissioners Clay Brandt, Tom Follis, Kelly Kamlager, Todd Schalinske, Peter Turke, Alderman Bob Prailes, DPW Supervisor Richard Pieters, Student Chase Robers

Chairman Darrel Eisenhardt called the meeting to order at 6:36 PM.

Present: Commissioners Tom Follis, Peter Turke, Alderman Bob Prailes, DPW Supervisor Richard Pieters, Chairman Darrel Eisenhardt and Chase Robers. **Excused:** Commissioners Clay Brandt and Todd Schalinske. Commissioner Kelly Kamlager arrived at 6:40 P.M.

Approval of November 18, 2010 Minutes: Chairman Eisenhardt entertained a motion for approval of the November 18, 2010 Minutes. Motion to approve made by Alderman Prailes. Seconded by Commissioner Turke. All voted aye, motion carried.

Citizens Comments: None

Aldermanic Report: Alderman Prailes reported the bathrooms at Sunset Park are completed. Total cost was approximately \$11,000, for everything. Commissioner Follis inquired about the scoreboard. Alderman Prailes was not aware that it was not working properly. Mr. Pieters stated that although the scoreboard was on City property, it actually was not the City's.

DPW Supervisor Report: Richard Pieters reported he would not be at the March Park Board Meeting. Connie Wilson, DPW Director would be there in his place. Mr. Pieters expected to be gone approximately 6 weeks.

New Business:

Baseball 2000 Contract: Dick Imrie was present and stated he still needed to obtain a few signatures. Once he had them all, he would forward a copy to Deb Rintamaki, DPW.

Riverside Park Shoreline Restoration: This items was discussed with Schreiber Anderson Proposal listed below.

Bathroom Restoration at Sunset Park: As reported under Aldermanic Report, the bathrooms have been completed.

Tour of new DPW Facility: Dick Pieters, DPW Supervisor asked that the tour of the new facility wait until it stays light out longer so the inside and outside could be toured, possibly April. All were in agreement.

Schreiber Anderson Proposal/Riverside Park: The Commissioners discussed the proposal from Schreiber Anderson and it was determined that it had already been an approved item by the Park Board. The Total Cost would be \$21,931.00, which would be taken out of Park Funds.

The Bike Path portion would be included with the Sidewalk Program in March, with the hopeful outcome being lower asphalt costs.

Chairman Eisenhardt suggested they have Blake from Schreiber Anderson come to a later meeting to see what grants may be available for 2012. After some discussion it was determined that Chairman Eisenhardt would contact him.

Old Business:

Update on Comprehensive Park Plan: Chairman Eisenhardt asked the Park Board Members to review the Prioritized List, to see if there was anything they would like changed on the listing.

Upgrades at Bushnell Park: Alderman Prailes stated that it was currently being studied to redesigning at Bushnell to allow additional soccer fields. Also being studied was ingress and egress. Alderman Prailes had thought within in the next few months additional information would be forthcoming.

Other Items: Peter Girolomo, Dog Park President was present. He stated he was trying to work with the Dog Park's Treasurer to get timely quarterly reports to the City.

Mr. Girolomo asked approval from the Park Board to change colors on the advertising signs. They had many requests asking to use the company's logos. Sizes would remain the same, just colors would be different. There also had been requests for personalized signs with pictures of the owner's dog. After some discussion, the Park Board were all in agreement that this would not be a problem.

Mr. Girolomo also inquired about the City possibly helping with the cost of fencing for a small dog area at the Dog Park. He stated there were already two sides of the fence that could be used, so only another two would be needed to add on. The size being approximately 50' X 100', with an approximate cost of \$1000 - \$1500. After some discussion, the Park Board asked Mr. Girolomo to come back with exact costs, and it could be discussed further at that time. Mr. Girolomo agreed.

Bud Milroy and Dick Emrie were present to discuss the possibility of getting monetary help to pay for a portion of the bathrooms in the pavilion at Beaumont Field. The total quoted from Lee Plumbing was \$7982.00. Of that amount, \$4932.81 was equipment. Mr. Milroy was asking for help from the City to pay the equipment portion. All were in agreement that the cost for both bathrooms was very reasonable. Aldermen Prailes stated he would talk with Kevin Lahner, City Administrator to see if there will be funds available. The item was then tabled until the March meeting.

Alderman Prailes suggested studying the idea of having a booklet available at area businesses that would list each of the parts and their amenities. He had a booklet available for review by the Commissioners. Alderman Prailes stated he would obtain costs.

The Commissioners also discussed the possibility of adding more information onto the City's web page. Further discussion will take place at a future date.

The Commissioners also discussed moving forward to find a spot for a Community Garden. Several possibilities were discussed. Connie Wilson, DPW Director and Commissioner Kelly Kamlager will work on this together.

Richard Pieters, DPW Supervisor stated that Connie Wilson was also looking for interested persons for planting the flower pots in the downtown area.

There being no further items for discussion, Chairman Eisenhardt entertained a motion for adjournment. Motion to adjourn made by Commissioner Follis. Seconded by Commissioner Kamlager. Chairman Eisenhardt adjourned the meeting at 8:36 P.M.

Minutes respectfully submitted by:



Deb Rintamaki

Department of Public Works

**Board of Public Works
2011 Utility and Sidewalk Improvement Program
Thursday, March 10, 2011
9:00 a.m.
Department of Public Works Building
2200 South Pine Street**

The Board of Public Works was called to order by Mayor Robert Miller at 9:07 a.m. with the following in attendance: Mayor Robert Miller, Attorney John Bjelajac, Alderman Katie Simenson, Utility Manager Ms. Connie Wilson, Engineering Technician Ms. Judy Gerulat, Mr. Mike Timmers and Mr. Tom Foht of Kapur Engineering.

A motion was made by Alderman Simenson to accept the September 3, 2010 Minutes. Atty. Bjelajac seconded the motion and with all in favor the motion carried.

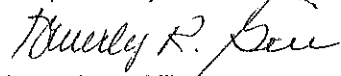
The following bids were presented:

	Bidder No. 1	Bidder No. 2
	Wanasek Corporation	A.W. Oakes & Sons
Base Bid	\$265,717.90	\$283,697.25
Alternate Bid- Wehmhoff Parking Lot	\$17,274.00	\$22,950.00
Bid Guaranty	Bid Bond Furnished	Bid Bond Furnished

A motion was made by Ald. Simenson to refer the bids to engineering staff for recommendation. Attorney Bjelajac seconded the motion and all were in favor.

A motion was made by Alderman Simenson to adjourn the meeting. Atty. Bjelajac seconded the motion and with all in favor, the meeting adjourned at 9:12 a.m.

Respectfully submitted,



Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth County

Board of Public Works
Radium & Gross Alpha Treatment Systems for Wells #9 and #10
Thursday, March 17, 2011
9:00 a.m.
Department of Public Works Building
2200 South Pine Street

The Board of Public Works was called to order by Mayor Robert Miller at 9:02 a.m. with the following in attendance: Mayor Robert Miller, Attorney John Bjelajac, Alderman Katie Simenson, Utility Manager Ms. Connie Wilson, and Mr. John Grosskreutz of Kapur Engineering.

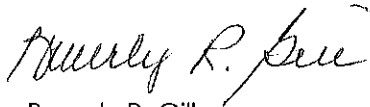
The following bids were presented:

	Miron Construction	Staab	Di-Mar	Scherrer	Absolute	Gilbank
	Neenah, WI	Marshfield, WI	Excelsior, MN	Burlington, WI	Racine, WI	Clinton, WI
Base Bid	\$1,741,683.00	\$1,709,000.00	\$1,776,300.00	\$1,671,000.00	\$1,700,000.00	\$1,813,000.00
Addendum No. 1	Yes	Yes	Yes	Yes	Yes	Yes
Bid Guaranty	Yes	Yes	Yes	Yes	Yes	Yes

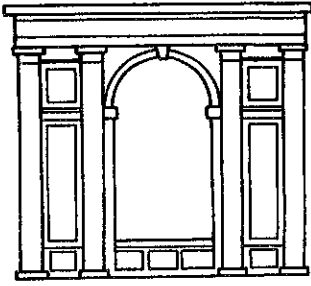
A motion was made by Ald. Simenson to refer the bids to the city's engineering staff for recommendation. Attorney Bjelajac seconded the motion and all were in favor.

A motion was made by Alderman Simenson to adjourn the meeting. Atty. Bjelajac seconded the motion and with all in favor, the meeting adjourned at 9:16 a.m.

Respectfully submitted,



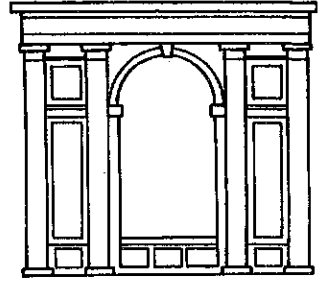
Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth County



Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105
(262) 763-7623 • Fax (262) 763-1938

www.burlingtonlibrary.org



Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, March 22, 2011 in the Burlington Public Library Meeting Room. Present were Yvonne Braunschweig, Steve Rauch, Pat Hoffman, Penny Torhorst, Dianne Boyle, Kay Pockat, Scott Johnson, and high school representatives, Nicole Durand and Evelyn Dillman. Excused were Pat Hurley and Mike Kelly. Also present was Library Director Gayle Falk and Administrative Assistant Linda Berndt.

Torhorst called the meeting to order at 4:01.

Minutes of the February 15, 2011 meeting were approved. Braunschweig moved, and Boyle seconded. Motion passed.

The March 2011 General Fund Bills, Prepaids, Reimbursements and February 2011 General Fund Deposits were discussed and approved. Braunschweig moved approval and Johnson seconded. Motion passed.

Braunschweig moved and Johnson seconded the motion to approve the March Trust Fund Bills and the February Trust Fund Deposits. Motion passed.

Committee Reports: There were none at this time.

Federated Library Report: Braunschweig reported on changes in the LLS Board. System Administrator Kristin Hewitt will be taking a decrease of 10% in pay and 1 furlough day every two weeks. Lakeshores is trying to renegotiate a multiyear lease for their offices, to reduce expenses. Lakeshores has changed from OCLC to Sky River for cataloging and from OCLC ILL to WisCat for interlibrary loan purposes, greatly reducing their costs.

Old Business:

Friends: The Friends are ready to send out their fundraising letter and to make telephone calls. Falk wanted the Board's approval to have business cards available from the business that will donate the raffle basket each month. Torhorst asked if there was any objection. There was none.

New Business:

Annual Report: Falk handed out the Annual Report and explained to the Board that the auditors have made some adjustments and they need to make more corrections. They will be back in April and after that Falk stated that she will have the City Treasurer, Steve DeQuaker, come and explain to the Board what changes were made and why.

Patron Code of Conduct: Falk is working with the City Attorney on a couple of issues. One of the issues is people taking pictures and videos in the library. The other is the Police Dept. will be helping get overdue materials collected from patrons that have not returned items.

Expanding Library service to patrons without standard ID: Currently Lakeshores Library System staff is not sure that we need to take the DL #, which was required when Bernie Bellin headed up Lakeshores. Falk is waiting until the next Lakeshores meeting for their ruling.

Program Funds: Falk asked the Board if they wanted to approve \$1,200.00 of book sale money to be used for library programs again this the year. Hoffman moved and Braunschweig seconded the motion to use \$1,200.00 of book sale money to put towards the program fund. Motion passed.

Summer Reading Program Supplies: Falk asked the Board if they wanted to use grocery money to pay for SRP t-shirts for the staff to wear for the summer. Boyle moved to approve \$200.00 of grocery fund money to be used to purchase t-shirts for the staff, with the possibility of selling extra t-shirts to the public. Hoffman seconded the motion and the motion was approved.

April Meeting: The April Board meeting will be two weeks early on April 12th.

Budget Repair Bill and proposed budget: The proposed budget eliminates library maintenance of effort for counties and municipalities. Previously, they had to fund at an average of the last 3 years. State law only requires counties to reimburse at 70% of the actual cost of service to county residents without a home library. Currently both Racine and Walworth Counties reimburse at a higher percentage. Losing the maintenance of effort support could mean a drastic cut in county funds to our library.

Everyone at the library will be paying 5.8% for Wisconsin Retirement as soon as the budget repair bill is published and takes effect. No one at the library is represented by a union or covered under a collective bargaining agreement.

Copier replacement: The City has given the approval to go ahead with the purchase of a new copier. The funds were already in the budget for it. The new copier we are looking for is a color printer/copier that all the staff will be networked to. Hoffman moved and Braunschweig seconded the motion to purchase a new Cannon color printer/copier for the staff. Motion passed.

Roof Repair: The City has also approved going ahead with the roof project that was also already included in the budget for this year. Brian is currently getting estimates. The carpet project will have to wait.

Directors Report: We were closed a day and a half in February due to the storm. Our numbers are down because of that.

The Literacy group is meeting here on March 24th. They want to partner with us and use our materials. Judy has started a Life Writing class which meets twice a month. There has been a good response to the class.

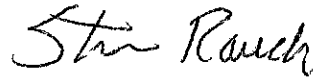
BPL in the news: There are many articles from the paper.

Public Communication to the Board: There was nothing at this time.

Meeting was adjourned at 5:55 PM. Hoffman moved and Braunschweig seconded. Motion passed.

Our next meeting will be on Tuesday, April 12th at 4:00 PM in the Burlington Public Library meeting room.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Rauch". The letters are fluid and connected, with a prominent "S" at the beginning and a clear "Rauch" at the end.

Steve Rauch
Aldermanic Representative

**City of Burlington Housing Authority
Riverview Manor**

March 24, 2011

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, March 24th, 2011, 6:30 P.M. at Riverview Manor. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Vice-Chairman Stubley, Secretary Heck, Commissioners LeRoy Stoehr, and Resident Manager, Dorothy Henning. Commissioner Iselin was excused.

Minutes from the February 17th, 2011 meeting was dispersed to board members and a motion was made by Stoehr, seconded by Heck to approve the minutes as read, carried unanimously.

FINANCIAL REPORT:

Reserve Account balances as of February 28, 2011

First Banking Center	\$ 29,852.84
M&I Bank	\$ <u>15,128.11</u>
TOTAL	\$ 44,980.95

OCCUPANCY REPORT:

Manager Henning reported 4 on the waiting list for one bedroom unit and 1 for two bedroom units.

BUILDING AND MAINTENANCE:

- **Snow removal costs as of March 1st, 2011 are slightly lower than last year at that date.**
- **Manager Henning is waiting for a return call from Jim Hall, representative from Silverstone Housing Partners, LLC. regarding CNA and project at Riverview Manor.**

COMMUNICATIONS:

- Capital needs assessment from Greg Benz was discussed by board members.
- Copies of the monthly bills and operating statement were dispersed and reviewed by board members.

NEW BUSINESS:

- The need for a new computer was discussed with board members along with seeking a part-time employee with experience required in quick-book. Manager Henning will put an ad in the local paper for someone with the required qualifications.

UNFINISHED BUSINESS:

ADJOURNMENT:

There being no further business, motion to adjourn was made by Heck, seconded by Stoehr and carried unanimously. Meeting adjourned 7:30 P.M. The next monthly meeting is tentatively scheduled for April 21st, 2011



Ralph Heck, Secretary

**CITY OF BURLINGTON
AIRPORT COMMITTEE**

Date: March 24, 2011

Meeting was called to order at 6:00 p.m.

Present:

Alderman Jim Prailes
Jerry DeLay
Gary Meisner
Arlene Runkel
David Uhen
John Hotvedt
Kevin Remer

Motion was made by Meisner, seconded by Remer, to approve the January 27, 2011 and February 24, 2011 minutes as written. Motion carried.

Open Floor Audience comments: None

The renaming of the lease for 948 Alfa Taxiway will be presented at the May meeting.

A motion was made by Runkel, seconded by Prailes, to proceed with the approval for the acquisition of the BUU terminal maintenance building. Meisner abstained from the voting. Motion carried.

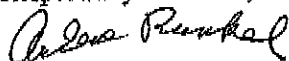
Airport Manager's Report:

New wind sock was installed.

There being no further business, motion was made by Gary, seconded by John, to adjourn the meeting. Motion carried.

Meeting was adjourned at 6:19 p.m.

Respectfully submitted,



Arlene Runkel
Secretary



City of Burlington

HISTORIC PRESERVATION COMMISSION MEETING MINUTES THURSDAY, MARCH 24, 2011

Call to Order

The meeting was called to order by Chairman Stelling at 6:30 p.m.

Roll Call

Present: Alderman Peter Hintz, Commissioners Peter DeRosier, Jeff Erickson, Peter Hintz, Maria Veronico, and Judy Stone. Commissioner Weis was excused. Also present were Chairman Tom Stelling, Building Inspector/Zoning Administrator Patrick Scherrer and Karen Frost of Racine County Economic Development Corporation. A quorum was present. Commissioner Jeff Erickson appeared at 6:32 P.M.

Citizen Comments

There were no citizen comments.

Approval of February 24, 2011 Minutes

Chairman Stelling entertained a motion. Chairman Stelling stated that a correction needs to be made. On the bottom of page 2 (under Discussion of Current Projects, 256 E. Chestnut St.) it should read:

- 256 E. Chestnut St. – Chairman Stelling stated that only half of the buildings Chestnut Street Façade was painted the Roycroft Copper Red, the Security Finance did not want their half painted. **Noting the Façade Grant funds had already been used by the previous owner.** Chairman Stelling further stated that he wanted the project to stay on the active list, the owner/tenant has yet to complete the lighting he had been permitted to install. Chairman Stelling noted that the new handrail has been installed.

Commissioner Veronico motioned to approve the minutes of February 24, 2011. Commissioner Hintz seconded. All aye and the motion carried.

588 N. Pine St. – Munch Box, Certificate of Appropriateness/Sign Permit Application

Paul Giammo representing the Munch Box was present. Pat Scherrer stated that he needs the glass measurements for the glass inside the door and the size of the window sign in door to make sure it

does not exceed allowable area. Mr. Giammo will provide him with this. Chairman Stelling entertained a motion. Commissioner Erickson recommended approval of the Certificate of Appropriateness to the Council subject to the door sign meeting the allotted size. Commissioner Veronico seconded. All aye and the motion carried.

573 N. Pine St. – Timothy Boyle, 573 N. Pine St., Certificate of Appropriateness and Sign Permit Application

Dennis Spankowski representing Keefe Real Estate was present and stated that the proposed sign meets the code. He asked about the grant funds available for signs. After some discussion it was unclear whether the \$5,000 in façade grant monies that was already appropriated was the limit or if sign grant monies up to \$250 could also be given. Chairman Stelling recommended that this item be tabled so that the policy can be reviewed.

Chairman Stelling entertained a motion. Commissioner Hintz motioned and Commissioner Derosier seconded to recommend to the Council approval of the Certificate of Appropriateness. All aye. Motion carried.

Chairman Stelling entertained a motion. Commissioner Erickson motioned to approve the sign facade application. Commissioner Derosier seconded. Chairman Stelling entertained a motion to table so that further research and clarification can be done. Commissioner Veronico motioned to table and Commissioner Erickson seconded. All aye and the motion carried.

388 N. Pine St., Trendsetters of Burlington, Façade Grant Application

The proposed door has not been replaced yet. Chairman Stelling entertained a motion. Commissioner Hintz motioned to approve the façade grant in amount of \$475.00. Commissioner Stone seconded. A roll call vote was taken. DeRosier: Aye; Erickson: Aye; Hintz: Aye; Stone: Aye; Veronico: Aye; Weis: excused. All aye and the motion carried.

500 N. Pine St., Zott Law Office and Mays Insurance, Bird Spikes

Amy Zott of Zott Law Office was present. She stated that the bird spikes will be anchored down. Chairman Stelling entertained a motion. Commissioner DeRosier motioned to approve the Certificate of Appropriateness and recommend approval to the Council contingent on the conditions set forth in the letter dated March 24, 2011 from Weis, LLC that was submitted to the Commission as follows:

To install bird spikes on South East quadrant of building on the top of the overhang and on the ledge directly below the overhang

On ledges above the side entrance of building (above future awning)

Commissioner Hintz seconded to recommend approval to the Council. All aye and the motion carried.

Discussion of Current Projects and Response Team Updates

Karen Frost stated that the Jasmine Tree (109 E. Chestnut St.) was sent a letter regarding the inappropriate colors that the building was painted.

Review of Grant Funding Status

Chairman Stelling requested that an updated spreadsheet be brought to the next meeting.

Discussion of Potential Projects to be included in the Wisconsin Historical Society Certified Local Government subgrant application

Chairman Stelling stated that the commission has been granted \$24,000 by the Wisconsin Historical Society to do a survey of potential projects that have historical significance that may or not be located in the historic district that need improvements. He further stated that proposals have been taken by RCEDC. Chairman Stelling wants RCEDC to make a presentation to the City about the proposals. LJM Architects is the only proposal the commission has received, but there may be two or three others. Chairman Stelling entertained a motion. Commissioner Veronico motioned and Commissioner Stone seconded to start the process of requesting that the council enter into the appropriate agreements for the hiring of the survey of the historic buildings, etc. in the city of Burlington as defined by the letter by the Wisconsin Historical Society letter dated March 5, 2011 addressed to Mayor Miller. All aye. Motion carried.

Discussion Concerning Potential/Future Projects and Notices of Violations in the Historic Preservation Overlay District

The commission discussed the condition of the backs of businesses in the downtown area. Pictures taken by Building Inspector Pat Scherrer of some of the rear of the buildings were provided in the packets. It was the consensus of the commission to send letters, along with pictures, to the owners encouraging them to preserve the rear of the buildings and make them safe. Commissioner Stone suggested that volunteers be asked to participate in the clean-up, such as the Rotary Club or kids needing to perform community service. Commissioner DeRosier stated that some owners would be more likely to donate monies to such causes rather than doing the labor themselves. Chairman Stelling stated that wayfaring signs need to be installed and uniform business names need to be installed on the back of buildings. Chairman Stelling stated that we need to make a list of the properties that need the rear of the buildings cleaned up and repaired. Commissioner DeRosier advised that insurance liabilities may cause the owners to hire professional contractors.

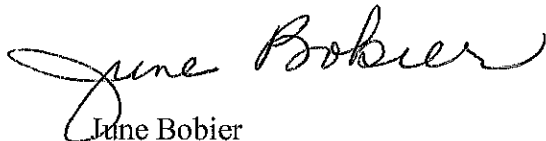
Discussion of policies, procedures and the vision for the future of the Historic Preservation Commission (Strategic Session)

Commissioner Derosier added that there should be some Fire Inspector involvement with the clean-up and repair of the rear of the downtown buildings as this would enhance the efforts of the owners.

Adjournment

Commissioner Veronico motioned to adjourn and Commissioner DeRosier seconded. All aye. Motion carried. Meeting adjourned at 7:19 P.M.

Respectfully submitted, .



June Bobier
Administrative Assistant
City of Burlington



Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
April 12, 2011, 6:30 p.m.

Mayor Robert Miller called the Plan Commission meeting to order this Tuesday evening at 6:33 p.m. Roll call: Alderman Robert Prailes; Commissioners Chris Reesman, John Lynch, and Michael Deans and Student Representative Sarah Strong were present. Aldermen Tom Vos was excused. Student Representative Andrew Krismer and Town of Burlington Representative Phil Peterson were absent. Also present were City Administrator Kevin Lahner, City Planner Patrick Meehan, Alderman Katie Simenson and Zoning Administrator Patrick Scherrer.

APPROVAL OF MINUTES

Commissioner Eisenhardt moved and Commissioner Lynch seconded to approve the minutes of February 8, 2011. All were in favor and the motion carried.

CITIZEN COMMENTS

None

LETTERS & COMMUNICATIONS

Commissioner Lynch moved and Commissioner Eisenhardt seconded to accept Communication A. All were in favor and the motion carried.

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding a Conditional Use application from Matthew Middleton to use the existing facility at 381 W. Market St. for a motorcycle parts retail shop with service.

- Mayor Miller opened the public hearing at 6:35 p.m.
- There were no comments. Alderman Prailes moved and Commissioner Deans seconded to close the Public Hearing at 6:36 p.m. All were in favor and the motion carried.

OLD BUSINESS

None.

NEW BUSINESS

A. Consideration to approve a Conditional Use Permit Application and Site Plan Application from Matthew Middleton to use the existing facility at 381 W. Market St. for a motorcycle parts retail shop with service.

- Mayor Miller opened this issue for discussion.

- Commissioner Lynch questioned if the parking requirements would be different for motorcycles versus cars since this will be a motorcycle shop. Patrick Meehan stated the code doesn't reflect that.
- Matthew Middleton, applicant, stated the dumpster in the parking area has been moved. Meehan stated this would make them compliant with parking however they would still need to stripe the parking lot.
- There were no further comments.

Commissioner Eisenhardt moved and Commissioner Lynch seconded to approve a Conditional Use and Site Plan Application for 381 W. Market Street, subject to Kapur & Associates' April 7, 2011 and Patrick Meehan's March 31, 2011 memorandums to the Plan Commission as follows:

- Under the requirements of Section 315-481, Table 5, the 900 square foot existing building requires a minimum of four (4) off-street parking spaces. This requirement could be met by the proposed Site Plan except the easternmost proposed off-street parking space is proposed to have a 3.5' x 6' dumpster occupying that potential fourth space; therefore, it is recommended that this dumpster be relocated to a location in front of the existing shed. Based upon this analysis, the proposed number of off-street parking spaces (three) does meet the above requirement if one (1) additional off-street parking space (with no dumpster obstruction) to be provided and indicated on a revised Site Plan submitted to the City staff. Also, a minimum of one (1) of the off-street parking spaces provided needs to be indicated on a revised Site Plan to serve persons with disabilities.
- Section 315-48(B) requires that no off-street parking space be less than 9 feet in width and 180 square feet in area. This requirement could be met by the proposed Site Plan except the easternmost proposed off-street parking space is proposed to have a 3.5' x 6' dumpster occupying that potential fourth space and, therefore, that space cannot function as an off-street parking space and its size is reduced to only 159 square feet which does not meet the minimum parking space size of 180 square feet. Therefore, it is recommended that this dumpster be relocated to a location in front of the existing shed.
- Section 315-48(M) sets forth the minimum required width of off-street parking rows and aisles. Based upon that requirement, a single row and aisle of 90-degree parking spaces needs to be a minimum of 45 feet in width. Based upon the Site Plan submitted, it appears that these requirements are not met by the applicant for a single row and aisle of 90-degree parking spaces. Due to the short lot depth of the subject property as it abuts Market Street, it appears that this would be difficult to achieve and still have a developable lot remaining. Therefore, a variance from this requirement from the Zoning Board of Appeals needs to be applied for and granted.
- Pursuant to the requirements of Section 315-48(E), the proposed off-street parking and loading areas shall be paved with either asphalt or concrete. While the existing gravel drive does not meet this requirement, it appears that the actual off street parking spaces do. Therefore, the gravel area shall be paved and indicated on a revised Site Plan submitted to the City staff.
- The submitted plan needs to meet the following requirements of Section 315-137(C) of the City Zoning Ordinance:

- a. The preparer and date of the Site Plan drawing need to be indicated on the revised Site Plan submitted to the City staff.
 - b. The site size needs to be indicated on the Site Plan submitted to the City staff.
 - c. The existing and proposed topography needs to be graphically indicated on the proposed Site Plan as may be required by the City Engineer.
 - d. Any proposed sanitary sewers, storm sewers, and water mains need to be graphically indicated on the proposed Site Plan as may be required by the City Engineer.
 - e. Any proposed stormwater management facilities including stormwater calculations need to be submitted to the City meeting the requirements of the City's stormwater management plan as may be required by the City Engineer.
 - f. If any outdoor lighting is contemplated to serve the off-street parking lot, outdoor lighting data are required which indicate location, type, and illumination level (in foot candles) of all outdoor lighting proposed to illuminate the site. It is recommended that total cut-off luminaires be used throughout the site meeting the requirements of Sections 315-137(C)(25) of the City Zoning Ordinance.
- The existing parking stalls shall be restriped.

All in favor and the motion carried.

B. Consideration to approve a Site Plan Application from Horizon Retail Construction to create a sporting goods store at 1120 Milwaukee Avenue.

- Mayor Miller informed the commission that a letter from Reinhart, Boerner, Van Deuren, S.C., attorneys for the owner of 1120 Milwaukee Avenue was received by city staff at 3:30 p.m. that afternoon. As such there was not sufficient time to review the letter. Mayor Miller recommended tabling this item until further review can be done and proper correspondence between the City Attorney and Reinhart can be accomplished to address their objections to the City Planner's recommendations for the project.
- Commissioner Lynch questioned if there is a timing issue with Dunham's in regards to signing a lease. Dan Siudak of Horizon Retail Construction replied that there are no issues at this time.
- There were no further comments.

Commissioner Lynch moved and Alderman Prailes seconded to table this item.

All in favor and the motion carried.

C. Consideration to approve a Site Plan application from Cannella Response Television to construct an office building at 848 Liberty Drive.

- Mayor Miller opened this issue for discussion.
- There were no comments.

Commissioner Alderman Prailes moved and Commissioner Reesman seconded to approve a Site Plan Application for 848 Liberty Drive, subject to Kapur & Associates' March 29, 2011 and Patrick Meehan's March 31, 2011 memorandums to the Plan Commission as follows:

- Based upon the "Site Plan" submitted by the applicant, only two (2) off street parking spaces are indicated to serve persons with disabilities for the total 51-space parking lot areas. However, based upon the requirements of Section 315-48(H) and Table 4 of the City Zoning Code and since the parking lot is proposed to have 51 spaces, a total of three (3) parking spaces needs to be reserved to serve persons with disabilities. Therefore, one (1) additional space needs to be provided in the off-street parking lot areas which serves persons with disabilities and a revised Site Plan shall be submitted to the City staff which indicates a new Site Plan layout meeting this requirement.
- Section 315-48(B) requires that no off-street parking space be less than 9 feet in width and 180 square feet in area. Based upon the proposed "Site Plan" dated 3/25/10 [sic], it appears that this requirement has not been met since the size of all proposed off street parking spaces is only 162 square feet and needs to be corrected to 180 square feet. Therefore, a revised Site Plan shall be submitted to the City staff which indicates a new Site Plan layout meeting this requirement.
- Section 315-48(M) sets forth the minimum required width of off-street parking rows and aisles. Based upon that requirement, a single row and aisle of 90-degree parking spaces needs to be a minimum of 45 feet in width and a double row and aisle of 90 degree parking spaces needs to be a minimum of 65 feet in width. Based upon the proposed "Site Plan" dated 3/25/10 [sic], it appears that these requirements have not been met for those areas with 90-degree off street parking spaces since the width proposed for a single row and aisle of off-street parking spaces is only 42 feet and for a double row and aisle of off-street parking is only 60 feet. A revised Site Plan shall be submitted to the City staff which indicates a new Site Plan layout meeting these requirements.
- Pursuant to the requirements of Section 315-48(F) of the Zoning Ordinance, concrete curb and gutter meeting City specifications will need to be provided all proposed off-street parking areas. It appears that these requirements have not been met since much of the off-street parking area and its associated drives do not have the required concrete curb and gutter. While past City practices and policy regarding the use of curb and gutter and the use of parking lot sheet flow drainage have allowed this practice on a very limited basis only, areas of significant potential for pavement edge "wear and tear" of both the parking lot and drives (such as areas of the drive and parking lot which force vehicle turning movements) are not adequately protected by a concrete curb and gutter on the proposed "Site Plan." Therefore, a revised Site Plan shall be submitted to the City staff which indicates the required concrete curb and gutter.
- Section 315-48(D)(5) of the City Zoning Ordinance requires that in parking lots serving 10 vehicles or more, landscape areas shall total not less than 5 percent of the surfaced off-street parking area (inclusive of both parking stalls and associated drives) and that perimeter landscaped areas adjacent to the off street parking lot shall not be included in the aforementioned required 5 percent. In addition, Section 315-48(D)(5) also requires that: "Canopy trees shall be provided at the rate of one (1) tree for each fifteen (15) off-street parking spaces (or fraction thereof) within the interior of the off-street parking area." These requirements will need to be met by the applicant's submission of the required Landscape Plan relating to the required

placement of four (4), three-inch caliper trees in landscape island areas in the off-street parking lot associated with meeting the requirements of Section 315-48(D)(5) which requires that: "Canopy trees shall be provided at the rate of one (1) tree for each fifteen (15) off-street parking spaces (or fraction thereof) within the interior of the off-street parking area."

- Sections 315-48(D)(6)(b) and 315-52(H)(12) of the City Zoning Ordinance require that all landscape plant materials planted as either parking lot landscaping or as required bufferyards meet or exceed the minimum plant material size standards set forth in Section 315-48(D)(6)(b) of the City Zoning Ordinance at time of installation. The minimum size required for canopy trees required to be planted in the required landscape is land areas of parking lots is 3-inch caliper.
- Lighting Plan Required: Sections 315-137(25) and 315-32(L) of the City Zoning Ordinance indicate, in part, that a Lighting Plan meeting the following requirements shall be submitted with the "Site Plan." However, based upon the drawings submitted by the applicant, Meehan & Company, Inc. cannot determine if outdoor lighting is proposed. If outdoor lighting is proposed, a Lighting Plan meeting the following requirements shall be submitted and have, at a minimum, the following elements:
 - (1) Lighting plan elements. A lighting plan submitted pursuant to the requirements of this Subsection shall have, at a minimum, the following elements:
 - (a) A catalog page, cut sheet, or photograph of the luminaire, including the mounting method, a graphic depiction of the luminaire lamp (or bulb) concealment, and graphic depiction of light cutoff angles.
 - (b) A photometric data test report of the proposed luminaire graphically showing the lighting distribution in all angles vertically and horizontally around the luminaire.
 - (c) A plot plan, drawn to a recognized engineering or architectural scale, indicating the location of the luminaire(s) proposed, mounting and/or installation height in feet, the overall illumination levels (in footcandles) and uniformities on the site, and the illumination levels (in footcandles) at the property boundary lines. This may be accomplished by means of an isolux curve or computer printout projecting the illumination levels.
 - (2) Exterior lighting in the M-3 District shall meet one of the following standards (Note: This standard does not address illumination levels or fixture height which may be required by the City of Burlington for the adequate lighting of public street rights-of-way. It represents maximum illumination levels on private property.):
 - (a) Requirements for the use of no cutoff-type luminaires. When a light source or luminaire has no cutoff-type luminaire, the maximum permitted illumination shall be 0.30 footcandle and the maximum permitted luminaire height shall be 25 feet.
 - (b) Requirements for total cutoff-type luminaires (with angle greater than 90°). When a luminaire has total cutoff of light at an angle greater than 90°, the maximum permitted illumination shall be 2.0 footcandles and the maximum permitted luminaire height shall be 30 feet.
 - (c) Requirements for total cutoff-type luminaire (with angle of 90° or less). When a luminaire has total cutoff of light at an angle of 90° or less and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five feet above the ground at the point where the cutoff angle intersects the ground, the maximum permitted illumination shall be 2.0 footcandles and the maximum permitted luminaire height shall be 40 feet.

- Pond certification is required after construction. This includes an Atterberg limit or permeability test of the clay liner immediately after its installation. Once the pond is near completion, but before it becomes full of water notify the City Engineer for inspection and certification.
- The proposed water main and hydrant will require an easement. While the storm sewer easements have been shown on the plans no easement documents were included. Provide easement descriptions and exhibits for review. The easement for the storm water basins also required access. We recommend providing a combined access and water main easement.
- On final construction please note that the Type III, Class D matting is for reinforcement of the spillway only and does not provide topsoil stabilization or erosion protection for seeding. The matting is constructed 3" below the final spillway elevation then covered with topsoil and stabilized in the same manner as the remainder of the pond.

All in favor and the motion carried.

D. Consideration to recommend approval of Ordinance 1924(1) to amend Section 315-54C(4), "Accessory Uses and Detached Accessory Structures" to increase the maximum allowable structure height to 25 feet.

- Mayor Miller opened this issue for discussion.
- Alderman Prailes stated he feels this ordinance is a good idea and support its.
- Commissioner Lynch questioned if this ordinance is only applicable if the primary structure has a high peak that an accessory structure would match. Lynch stated he is worried that an accessory structure would be allowed to be taller than the primary structure. Pat Scherrer responded that the 25 foot maximum height would apply to any accessory structure whether the peak would match the primary structure or not.
- Alderman Prailes questioned if the ordinance language would allow for an accessory structure to be higher than the primary structure. Administrator Lahner stated it would however the language could be amended to prohibit an accessory structure from being taller than the primary. He further stated that this could become a real concern in some residential areas.
- Patrick Meehan advised if an amendment were to be made to the ordinance that it strictly reflects residential district and not commercial districts as some commercial buildings need taller outbuildings for storage.
- Commissioner Lynch questioned if requiring a variance to allow an accessory structure to be taller than the primary should be included in the ordinance. Commissioner Eisenhardt questioned if a ratio could be used. Commissioner Deans questioned if requiring the same pitch as the primary would limit the builder in overall height.
- Administrator Lahner questioned if it should be a Conditional Use for anything over 15 feet. Pat Scherrer stated that could become a problem with quantity of requests that could be applied for in terms of costs and staff time. Lynch stated he does not want to require anything that would cost the city or developer's time or money with this amendment.

- Pat Meehan suggested rewording the ordinance to allow a maximum height of 25 feet or the height of the primary structure, whichever is less, anything higher than 25 feet would require a variance. He further recommended the ordinance should have two separate parts, one for residential districts and one for commercial districts. Pat Scherrer stated that variances are not easy to get.
- Commissioner Deans questioned how many permit applications the Building Inspector typically receives in a month for accessory structures. Pat Scherrer stated in the summer he typically gets one permit application a week, mainly for sheds.
- Commissioner Deans questioned if this item could be tabled to allow for revisions to the ordinance. Mayor Miller stated that the commission could table it if they would like.
- There were no further comments.

Commissioner Deans moved and Alderman Prailes seconded to table this item.

All in favor and the motion carried.

ADJOURNMENT

Commissioner Lynch moved and Commissioner Eisenhardt seconded to adjourn the meeting at 7:05 p.m. *All were in favor and the motion carried.*

Recording Secretary
Megan E. Johnson
Assistant to the City Administrator



CITY OF BURLINGTON

City Clerk

300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Agenda Item Number: 10	Date: May 3, 2011
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

The alcohol license list for applications accrued are as follows:

May 3, 2011

Licenses Recommended for Approval

OPERATOR'S LICENSES

Austin, Matthew A.
Dirksmeyer, Robert
Martin, Jeff R.

The Police Department has performed a background check on these applicants and recommends approval/denial for the applicants.

Financial Remarks:

Applicants are charged a fee of which a portion funds the background checks performed by the Police Department. Business licenses fees are calculated on a case by case basis depending on the type of license applied for.

Executive Action:

Staff recommends the Common Council accept the presented licenses at the May 3, 2011 Council meeting.



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Agenda Item Number: 12A	Date: May 3, 2011
Submitted By: Beverly R. Gill, City Clerk	Subject: A Public Hearing to amend Section 6-2A regarding the requirements for membership on the Board of Review.

Details:

A Public Hearing is scheduled to hear public comment regarding amending Section 6-2A of the Municipal Code of the City of Burlington, "Membership Requirements for the Board of Review".

From time to time finding qualified members to serve on the Board of Review can be challenging. The Municipal Code states the Board of Review shall consist of five regular members and one alternate member, who are residents of the City, none of whom shall, at the time of appointment or tenure as a member of the Board, occupy any other public office or be publicly employed.

This ordinance allows for an exception to the membership requirements when the specific qualifications can not be reached. Memberships, including exceptions, continue to be at the discretion and approval by the Common Council.

Options & Alternatives:

None.

Financial Remarks:

None.

Executive Action:

This item is for public comment only at the May 3, 2011 Common Council meeting.

STATE OF WISCONSIN
COUNTY OF RACINE
The Common Council in and for the City of Burlington

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE CODE OF THE CITY OF BURLINGTON**

To Whom It May Concern:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to amend Section 6 of the Municipal Code of the City of Burlington, Racine County, Wisconsin, **SECTION 6-2A** "Membership Requirements for the Board of Review" as follows:

- A. The Board of Review shall consist of five regular members and one alternate member, who are residents of the City.

Section 6 of the Municipal Code of the City of Burlington shall be amended as necessary to reflect these changes, with the remainder of Section 6 remaining without change and in full force and effect. A copy of this ordinance is on file and available for viewing at City Hall.

NOTICE IS FURTHER GIVEN that a Public Hearing on the above matter will be held by the Common Council in the Council Chambers at the Police Department, 224 East Jefferson Street, City of Burlington on:

TUESDAY, MAY 3, 2011 DURING THE MEETING OF THE COMMON COUNCIL SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

to hear any persons objecting to, or in support thereof, on the above mentioned matter.

Dated at Burlington, Wisconsin, this 12th day of April, 2011.

Beverly Gill, City Clerk

*Published in the **Burlington Standard Press**
April 14 & 21, 2011*



CITY OF BURLINGTON

Finance Department

300 N. Pine Street, Burlington, WI 53105
(262) 342-1170 – (262) 342-1178 fax
www.burlington-wi.gov

Committee of the Whole Item Number: 7	Date: May 3, 2011
Submitted By: Kevin Lahner, City Administrator Steve DeQuaker, Treasurer	Subject: Resolution 4477(2) to closeout TID #4.

Details:

This is the first step in closing Tax Increment Finance District # 4. Original closeout date was set for 2017. After review of the increments and expenditures for the district, it was determined that TID 4 is able to be closed in 2011.

Final documentation for this closeout will need to be to the State by May 15th and as such this item will be placed on the May 3rd Council meeting for consideration.

Options & Alternatives:

The Common Council could choose to delay the closing of TID 4 to a later year.

Financial Remarks:

In light of coming state budget cuts, closing TID 4 early would add the value of TID 4 to the tax roll.

For 2012 the City will be able to increase the 2010/2011 levy (after deducting the post-6/30/05 debt levy) by approximately 2.238% (before considering net new construction % and other debt service adjustments). The approximate calculation is as follows:

Last TID 4 incremental value = \$30,917,500 (2010)

TID-out total value = \$690,669,600 (2010)

Closed out TID value divided by TID-out total value = 4.476%

50% of the above = 2.238%

David Wagner and Patrick Romanesko have looked at the debt service payments still due related to TID 4 for 2011 and 2012 along with other expenses related to TID 4. There is enough cash in TID 4 values to pay those expenses and close out the TID.

The TID incremental value above would be added to the city tax roll.

A final accounting of TID 4 is due within 6 months, with an Audited TID 4 report due within 12 Months to the Wisconsin Department of Revenue.

Executive Action:

This item is for discussion at the May 3, 2011 Committee of the Whole meeting, and due to the timeliness of this issue is also for tonight's Common Council meeting for consideration.

RESOLUTION No. 4477(2)
Introduced by the Committee of the Whole

**DISSOLVING/TERMINATING TAX INCREMENTAL FINANCE (TIF) DISTRICT NUMBER FOUR
AND AUTHORIZING THE CITY TREASURER TO DISTRIBUTE EXCESS INCREMENT TO
OVERLYING TAXING DISTRICTS**

WHEREAS, the City of Burlington passed a creation resolution creating Tax Incremental District Number 4 on September 28, 1995, and adopted a project plan that year; and,

WHEREAS, all TIF District Number Four projects were completed in the prescribed allowed time; and,

WHEREAS, sufficient increment has been collected as of the 2010 tax roll, payable 2011, to cover TIF District Number Four projects costs, and to escrow funds to cover the District's remaining outstanding debt.

NOW BE IT HEREBY RESOLVED, that the City of Burlington Common Council does dissolve/terminate TIF District Number Four.

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Wisconsin Department of Revenue, within 60 days of this resolution, or prior to the deadline of May 15, 2011, whichever comes first, that the District has been terminated; and

BE IT FURTHER RESOLVED, that the City Clerk shall sign the required Wisconsin Department of Revenue final accounting form agreeing on a date by which the city shall send final audited information to the Wisconsin Department of Revenue.

BE IT FURTHER RESOLVED, that the City Treasurer shall distribute any excess increment collected after providing for ongoing expenses of the District, to the affected taxing districts with proportionate shares to be determined by the final audit by the City's Auditor, Patrick Romenesko, S.C.

Introduced: May 3, 2011
Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk



State of Wisconsin • DEPARTMENT OF REVENUE
DIVISION OF STATE AND LOCAL FINANCE

BUREAU OF PROPERTY TAX
Equalization Section
Tax Incremental Financing
PO Box 8971, MS 6-97
Madison, WI 53708-8971

FINAL ACCOUNTING FOR TERMINATED TAX INCREMENTAL DISTRICT

WHEREAS, CITY of BURLINGTON, RACINE County has terminated by municipal resolution, TID No. 4 on May 3, 2011. Notice was received by Department of Revenue (DOR) on May 31, 2011, as prescribed in 66.1105(8)(a), required within 60 days of the resolution.

Pursuant to Section 66.1105(8)(c) of the Wisconsin Statutes the city/village and the DOR shall agree on a date by which the city/village shall send to the department, on a form prescribed by the department, all of the following information that relates to the terminated tax incremental district:

1. A final accounting of all expenditures made by the city/village.
2. The total amount of project costs incurred by the city/village.
3. The total amount of positive tax increments received by the city/village.
4. The total amount of project costs, if any, not paid for with tax increments that become obligations of the city/village after the district was terminated.

Wi. State Stats. 66.1105(8)(d) clarifies that **if a city or village does not send** to the DOR the completed final accounting form within the agreed timeframe, the **DOR may not certify or redetermine** the tax incremental base of any tax incremental districts until the form is received by the department.

Final accounting for TID No. 4 shall be submitted to the DOR, Property Tax Bureau, Tax Incremental Finance on November 3, 2011, (6 mos. from termination resolution date).

Please complete the bottom portion of this letter acknowledging date and mail to: Property Tax Bureau, Equalization Section, Tax Incremental Financing, P.O. Box 8971, MS 6-97, Madison, WI 53708-8971 within 60 days of the resolution.

If for some reason you are not able to submit the required information to DOR by date stated above, please contact Susan Plakus at (608) 261-5335 or email Susan.Plakus@revenue.wi.gov as soon as possible so arrangements can be made for your submittal.

Wisconsin Department of Revenue

By: _____
(Signature of Revenue Representative)

City/Village Clerk

By: _____
(Signature of Municipal Representative)



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Committee of the Whole Item Number: 10	Date: May 3, 2011
Submitted By: Patrick Meehan, City Planner	Subject: Motion 11-705 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 500 N. Pine Street (May's Insurance).

Details:

The Historic Preservation Commission (HPC) recommends approval of the Certificate of Appropriateness Application for the project located at 500 N. Pine Street.

The proposed project consists of:

- Installation of bird spikes on the southeast quadrant of the building on top of the ledge, the overhang and the side entrance.

This Certificate of Appropriateness Application was reviewed and approved at the March 24, 2011 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

Financial Remarks:

The approved items will be paid 100% by the business owner/building owner.

Executive Action:

This item is for discussion at the May 3, 2011 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.



City of Burlington

HISTORIC PRESERVATION COMMISSION MEETING MINUTES THURSDAY, JANUARY 27, 2011

Call to Order

The meeting was called to order by Tom Stelling at 6:30 p.m.

Roll Call

Present: Alderman Hintz, Commissioners Peter Derosier, Jeff Erickson, Judy Stone, Joel Weis. Commissioner Veronico was excused. Also present were Chairman Tom Stelling, Building Inspector/Zoning Administrator Patrick Scherrer and Karen Frost of Racine County Economic Development Corporation.

Citizen Comments

There were no citizen comments.

Approval of August 26, 2010 Minutes

Chairman Stelling entertained a motion. Commissioner Hintz motioned to approve the minutes of August 26, 2010. Commissioner Erickson seconded. All aye and motion carried.

202 E. Chestnut St. and 500 N. Pine St., Zott Law Office and Mays Insurance, Certificate of Appropriateness, Sign Permit Application and Façade Grant Application

Commissioner Joel Weis recused himself. Amy Zott stated that there will be three awnings to provide rain and ice protection over the stairways leading to the basement offices and for the main entrance off E. Chestnut Street. There was concern about the head clearance over the stairwells meeting the six foot, eight inch requirement. Mr. Weis stated he would like to use bird spikes in order to protect his awnings. Chairman Stelling entertained a motion. Commissioner Hintz motioned to table the matter until the commission receives more information and Commissioner Derosier seconded. All aye with the exception of Commissioner Weis as he refrained from voting. Motion carried. Amy Zott stated she will take steps to see if a text amendment to the ordinance could be done in order to allow exceptions to the head clearance requirement for stairwells, or provide the commission revised drawings showing six foot, eight inch head clearances over the stairwells. She stated she will also provide revised drawings of the lettering for her signage in Times New Roman font, as well as her logo. At this time Commissioner Weis came back to the table.

does not exceed allowable area. Mr. Giammo will provide him with this. Chairman Stelling entertained a motion. Commissioner Erickson recommended approval of the Certificate of Appropriateness to the Council subject to the door sign meeting the allotted size. Commissioner Veronico seconded. All aye and the motion carried.

573 N. Pine St. – Timothy Boyle, 573 N. Pine St., Certificate of Appropriateness and Sign Permit Application

Dennis Spankowski representing Keefe Real Estate was present and stated that the proposed sign meets the code. He asked about the grant funds available for signs. After some discussion it was unclear whether the \$5,000 in façade grant monies that was already appropriated was the limit or if sign grant monies up to \$250 could also be given. Chairman Stelling recommended that this item be tabled so that the policy can be reviewed.

Chairman Stelling entertained a motion. Commissioner Hintz motioned and Commissioner Derosier seconded to recommend to the Council approval of the Certificate of Appropriateness. All aye. Motion carried.

Chairman Stelling entertained a motion. Commissioner Erickson motioned to approve the sign facade application. Commissioner Derosier seconded. Chairman Stelling entertained a motion to table so that further research and clarification can be done. Commissioner Veronico motioned to table and Commissioner Erickson seconded. All aye and the motion carried.

388 N. Pine St., Trendsetters of Burlington, Façade Grant Application

The proposed door has not been replaced yet. Chairman Stelling entertained a motion. Commissioner Hintz motioned to approve the façade grant in amount of \$475.00. Commissioner Stone seconded. A roll call vote was taken. DeRosier: Aye; Erickson: Aye; Hintz: Aye; Stone: Aye; Veronico: Aye; Weis: excused. All aye and the motion carried.

500 N. Pine St., Zott Law Office and Mays Insurance, Bird Spikes

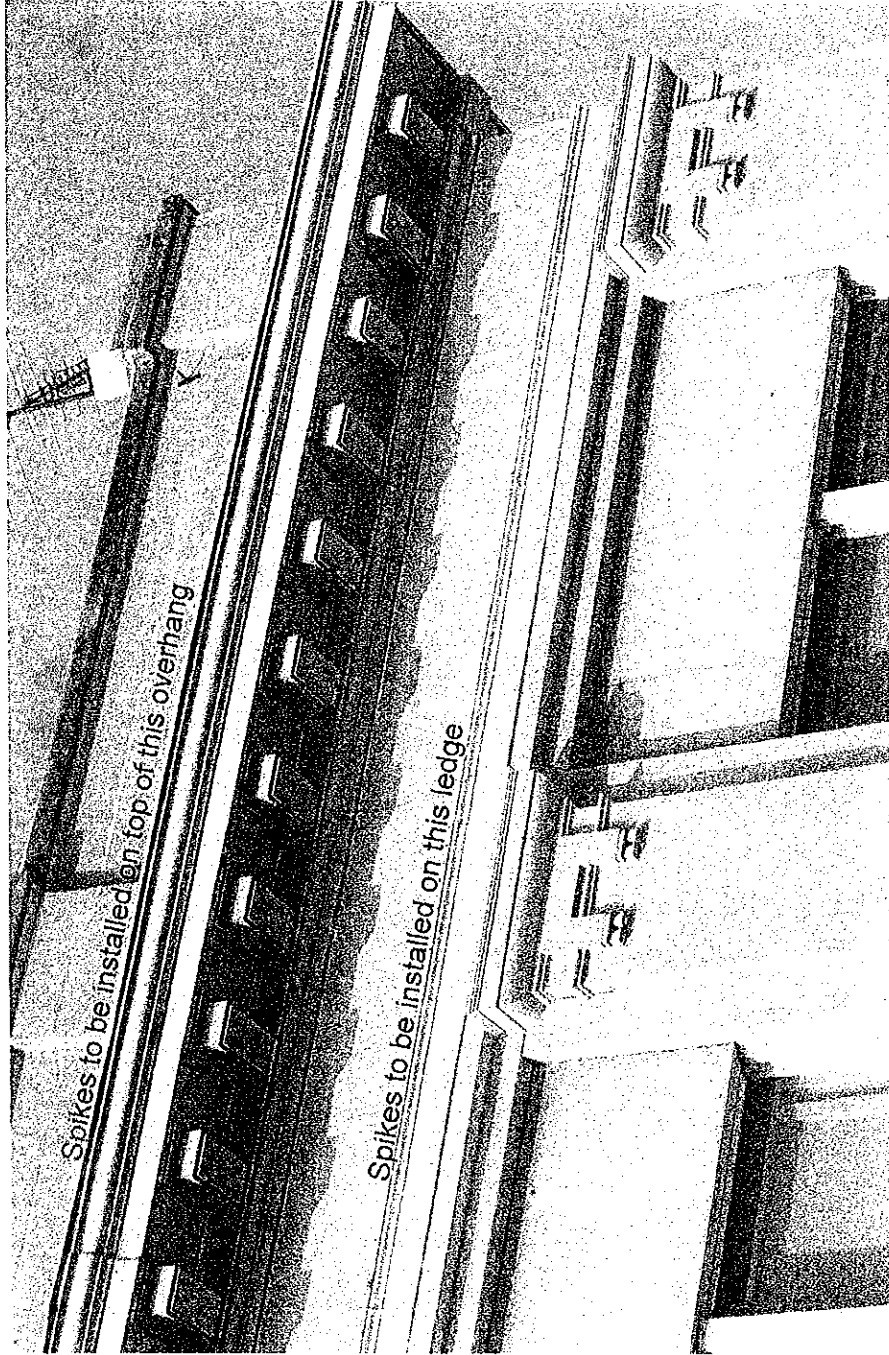
Amy Zott of Zott Law Office was present. She stated that the bird spikes will be anchored down. Chairman Stelling entertained a motion. Commissioner DeRosier motioned to approve the Certificate of Appropriateness and recommend approval to the Council contingent on the conditions set forth in the letter dated March 24, 2011 from Weis, LLC that was submitted to the Commission as follows:

To install bird spikes on South East quadrant of building on the top of the overhang and on the ledge directly below the overhang

On ledges above the side entrance of building (above future awning)
Commissioner Hintz seconded to recommend approval to the Council. All aye and the motion carried.

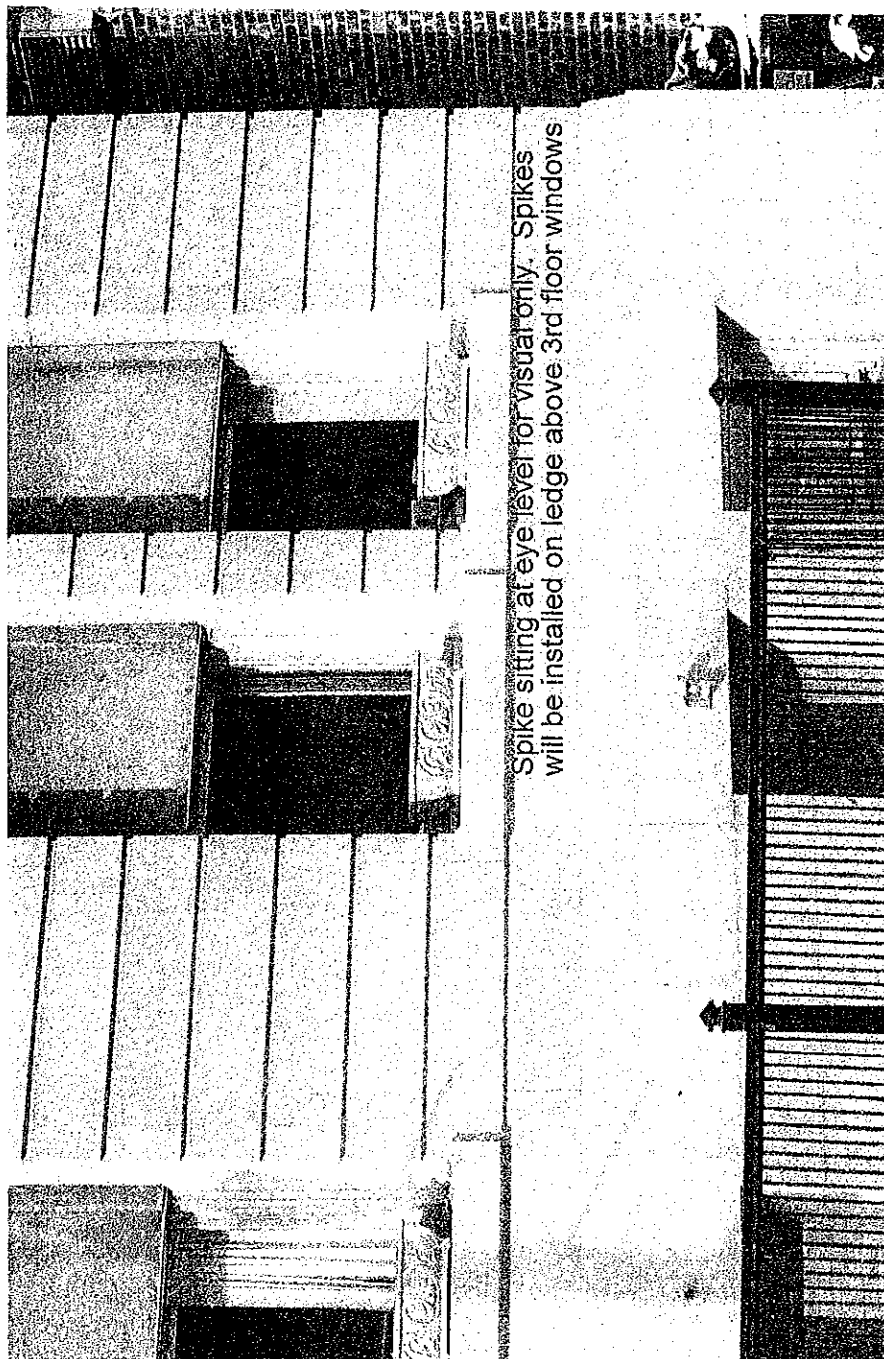
Discussion of Current Projects and Response Team Updates

Karen Frost stated that the Jasmine Tree (109 E. Chestnut St.) was sent a letter regarding the inappropriate colors that the building was painted.

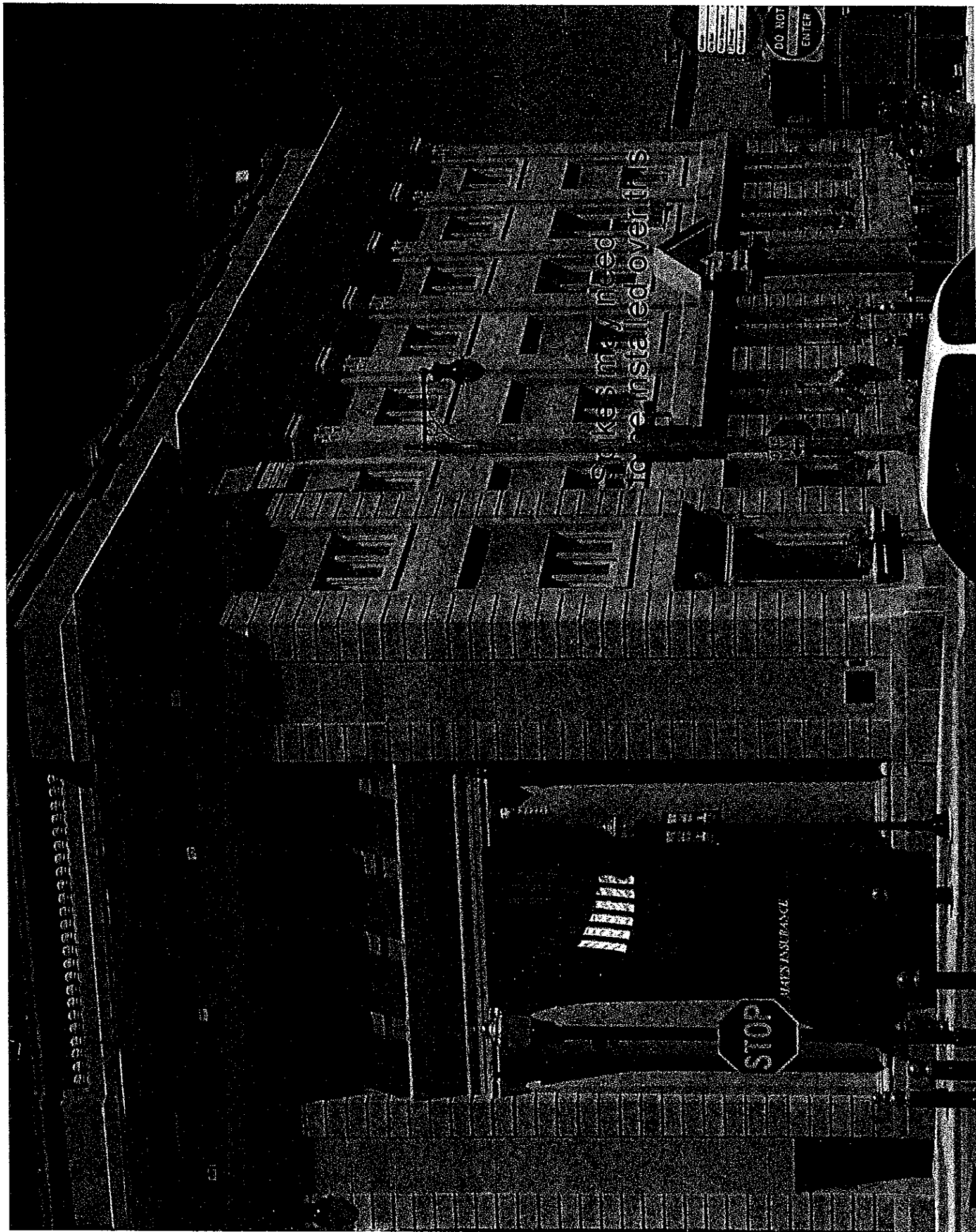


Spikes to be installed on top of this overhang

Spikes to be installed on this ledge



Spike sitting at eye level for visual only. Spikes will be installed on ledge above 3rd floor windows





CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
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Committee of the Whole Item Number: 11	Date: May 3, 2011
Submitted By: Patrick Meehan, City Planner	Subject: Motion 11-706 to approve a Certificate of Appropriateness and Sign Permit Application in the HPC Overlay District for 573 N. Pine Street (Keefe Real Estate).

Details:

The Historic Preservation Commission (HPC) recommends approval of the Certificate of Appropriateness and Sign Permit Application for the project located at 573 N. Pine Street.

The proposed project consists of:

- Installation of one square (4' x 4') overhanging non-illuminated sign.
- Installation of one 20' x 3' awning along the front of the building with place name.

These Certificate of Appropriateness and Sign Permit Applications were reviewed and approved at the March 24, 2011 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

Financial Remarks:

The approved items will be paid 100% by the business owner/building owner.

Executive Action:

This item is for discussion at the May 3, 2011 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

MEEHAN & COMPANY, INC.

PATRICK J. MEEHAN, AICP, AIA
PRESIDENT

P. O. BOX 925
HALES CORNERS, WI 53130-0925
PHONE: (414) 529-9559
FAX: (414) 529-9559

MEMORANDUM

TO: Historic Preservation Commission
City of Burlington

FROM: Meehan & Company, Inc.
Patrick J. Meehan, AICP

SUBJECT: Review of the Application for a "Certificate of Appropriateness" and "Sign Permit Application" for Awning and Signage to Property Located at 573 N. Pine Street in the City of Burlington (Zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District). Applicant: Keefe Real Estate, Inc., Dennis Spankowski, Agent. Property Owner: Tim Boyle

DATE: March 8, 2011

INTRODUCTION

Pursuant to the March 3, 2011 e-mail request of June Bobier of the office of the City Building Inspector of the City of Burlington, Meehan & Company, Inc. has prepared the following review of the application for a "Certificate of Appropriateness" and "Sign Permit Application" for an awning and signage to property located at 573 N. Pine Street in the City of Burlington. The subject property is zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District. Based upon the data and drawings submitted by the applicant, the proposal calls for the following:

- The installation of one (1) square, overhanging sign which measures 4' X 4' (16 square feet in area). The bottom of the proposed overhanging sign is 11'-4" in height as measured from the sidewalk. No signage illumination is proposed. The specific sign material is not indicated on the application. However, Meehan & Company, Inc. assumes (due to durability) the proposed sign is to be made of PVC (Polyvinyl chloride) which is a type of plastic. *[The applicant's agent has verbally indicated to Meehan & Company, Inc. by telephone call on March 6, 2011, that the sign is to be a high density plastic foam material.]*
- The installation of one (1) walkway awning extending 20'-10" in length, 3 feet in depth, and 3'-4" high along the front of the building (with associated signage placed only upon the valance (lower) portion of the awning indicating "KEEFE REALTY," "KEEFE REAL ESTATE," and "KEEFE REALTY." The lettering applied to the valance (lower) portions of the canopy is proposed to be white and the awning is proposed to be green. Based upon the data and photographs submitted by the applicant, it appears that the proposed lettering is about 5" +/- tall and occupies a total sign area totaling less than 11.2 +/- square feet of awning valance area which has signage. No signage illumination is proposed. The

bottom of the awning valance is 8 feet in height as measured from the sidewalk. *The material of the awning is not indicated on the application materials submitted. [The applicant's agent has verbally indicated to Meehan & Company, Inc. by telephone call on March 6, 2011, that the awning is to be a type of fabric colored "Kelly Green" material.]*

The applicant indicates that the portion of the subject property/building which fronts upon N. Pine Street is 21 feet in width and that the building is 30 feet (two stories) tall.

REQUIREMENTS OF CITY ZONING ORDINANCE SECTION 315-74C "PROJECTING AND HANGING SIGNS" AND SECTION 315-74F "SIGNAGE COLOR" IN THE HPO DISTRICT

Projecting and hanging signs (such as the sign proposed) are allowed in the HPO Historic Preservation Overlay District to extend only over public rights-of-way occupied by pedestrian sidewalks subject to the following. Following each item listed below is a comment (*in underlined italics*) on whether the applicant meets each specified application requirement:

- (1) All such projecting or hanging signs in the HPO District shall be elevated a minimum height of eight feet. Projecting or hanging signs may be placed above the sign band; however, no projecting or hanging sign shall extend above the top edge of the largest second story window.

Both of the above requirements appear to be met by both the hanging sign and awning signage proposed. The height of the hanging sign (not the awning signage) is proposed to be about 11'-4" above the sidewalk and the awning signage is proposed to be 8 feet above the sidewalk. The top of the hanging sign (as well as its associated support hardware) and the awning signage do not extend above the top edge of the largest second story window.

- (2) Any such projecting or hanging sign in the HPO District shall not project more than five feet from the surface of its supporting building. All such projecting signs in the HPO District shall not be permitted to extend closer than two feet to any public street curb or pavement or to any public alley curb or pavement.

Both of the above requirements appear to be met by the hanging sign proposed. The hanging sign proposed extends only four (4) feet from the building face and is not closer than two feet to any public street curb or pavement or to any public alley curb or pavement.

Both of the above requirements appear to be met by the awning sign proposed. The awning sign proposed extends only three (3) feet from the building face and is not closer than two feet to any public street curb or pavement or to any public alley curb or pavement.

- (3) All projecting and hanging signs in the HPO District shall be placed perpendicular to the building facade and not flush with the building facade.

This requirement is met since the proposed hanging sign is proposed to be placed perpendicular to the building facade.

- (4) Maximum area of a projecting and hanging sign. The maximum cumulative

permitted area allowed all projecting or hanging signs on a structure in the HPO District shall not exceed 7% of the upper building facade area. The upper building facade area shall be determined by multiplying the width of the upper building facade by its height (height as measured from the upper edge of the sign band to the upper edge of the cornice).

The upper building facade area is about 440+/- square feet. Under the above requirements, this would allow for a total hanging sign area of 30.8 square feet. This requirement appears to be met by the total area of both the hanging sign (16 square feet) proposed and the awning signage (11.2 square feet) which is 27.2 square feet and under the 7% of the upper building facade area.

(5) Limitation of the number of projecting and hanging signs. The total number of projecting signs allowed a structure in the HPO District shall be one sign per business.

This requirement appears to be met since there are no other projecting or hanging signs on this building facade and the proposed awning signage and hanging sign appear to be the only such signage proposed by the applicant.

The color of the proposed sign appears to be compatible with the construction materials of the building in compliance with the provisions of Section 315-74F of the Zoning Ordinance.

REQUIREMENTS OF CITY ZONING ORDINANCE SECTION 315-61A "AWNINGS" IN THE B-2 DISTRICT

Awnings may be placed upon any building or structure located in the B-2 Central Business District upon the following conditions, and such awning shall be permitted to extend beyond the lot line of the parcel and over the public right-of-way above the sidewalk on the following conditions:

(a) A detailed set of plans shall be submitted to the Building Inspector for his review, and the Building Inspector shall issue a permit for the construction and installation of the awning if it conforms with this Subsection.

(b) The awning shall extend not more than four feet beyond the building upon which it is placed and not closer than two feet to the back of curb where it abuts the public sidewalk.

The proposed awning meets the above requirement.

(c) The awning shall not be greater than five feet in height (as measured from the bottom of the awning to the top of the awning), unless authorized greater in the HPO District by the Historic Preservation Commission, and shall not be less than 7.5 feet above the sidewalk (as measured from the bottom of the awning).

These requirements are met by the awning proposed since it is proposed to be 8 feet above the sidewalk.

(d) The awning shall be constructed of cloth, canvas, sheet metal, or other lightweight material. Awnings located in the HPO Historic Preservation District shall be constructed of cloth, canvas or other material(s) approved by the

Historic Preservation Commission.

The awning material has not been formally indicated by the applicant in writing. However, the applicant has verbally indicated that the material to be used is to be a "Kelly Green" fabric. Therefore, the actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Sign Permit and Certificate of Appropriateness.

(e) The awning shall contain no signs or advertising except as otherwise permitted by this chapter.

[NOTE: See analysis set forth earlier under "Requirements of City Zoning Ordinance Section 315-74c "Projecting and Hanging Signs".]

(f) The awning shall not have any external lighting but may have incandescent lighting for safety or security.

This requirement appears to be met by the awning proposed since no lighting is proposed by the applicant.

CONSISTENCY WITH "CERTIFICATE OF APPROPRIATENESS" APPLICATION REQUIREMENTS OF SECTION 315-139 OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-139 of the City of Burlington Zoning Ordinance, the following items are required to be submitted by an applicant for a "Certificate of Appropriateness." Following each item listed below is a comment (*in underlined italics*) on whether the applicant meets each specified application requirement:

- A. Architectural plans, elevations, photographs, color samples, and/or perspective drawings. Architectural plans, elevations, and/or perspective drawings and sketches illustrating the design and character of all proposed alterations (except painting) shall be submitted. A color building elevation or perspective rendering of the exterior of the proposed building(s) shall be required for review by the Historic Preservation Commission for all types of alterations except painting. Said elevations and perspective drawings, when required, shall indicate the location and placement of all auxiliary building equipment, such as heating, ventilating and/or air-conditioning equipment. These drawings are to be drawn to a recognized architectural scale with the name of the project noted. Building plans shall be submitted with all detail drawn on each elevation. Plans drawn with partial building details indicated will be returned to the applicant for redrafting. For alterations consisting of painting only, color samples and photographs shall be submitted indicating the areas to be painted.

Complete to the extent needed to convey the proposed work to be accomplished. However, as indicated earlier, the awning material has not been formally indicated by the applicant in writing. However, the applicant has verbally indicated that the material to be used is to be a "Kelly Green" fabric. Therefore, the actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Sign Permit and Certificate of Appropriateness.

- B. Name and address. Name and address of the applicant.

Complete.

- C. Owner/developer. Owner's and/or developer's name and address.

Complete.

- D. Architect/engineer. Architect's and/or engineer's name and address.

No architect/engineer appears to be involved with the proposed project.

- E. Date. Date of submittal of plans.

Complete.

- F. Scale. Scale of drawings noted on each drawing.

Complete to the extent needed to convey the proposed work to be accomplished.
One photograph/sign drawing has been submitted illustrating the proposed conditions.

- G. Building type, size, and location. The type, size, and location of all structures with all building dimensions shown.

Complete to the extent needed to convey the proposed work to be accomplished.

- H. Height. The height of building(s).

Complete.

- I. Exterior materials samples to be provided. Samples of exterior materials and their colors.

The colors (shades of green) proposed to be used on the proposed hanging sign have been provided by the applicant with the submission of a color drawing of the sign which appears to display a mix of colors including white and shades of green. Therefore this requirement is met by the applicant.

- J. Additional information may be required. Additional information and data that may be required by the City Administrator, City Planner, City Engineer, Historic Preservation Commission or the Common Council may include, but not be limited to, the following upon request:

- (1) Photographs from the site of adjacent neighboring structures and/or property.

One photograph has been submitted by the applicant illustrating both existing conditions and the conditions proposed (overlaid upon the photo).

- (2) Detailed drawings of decorative elements of the building(s) or structure(s).

Not applicable.

- (3) Sectional building or site drawings drawn to a recognized engineering or architectural scale.

Not applicable.

CONSISTENCY WITH HPO DISTRICT STANDARDS OF REVIEW FOR THE COMMON COUNCIL'S APPROVAL OF A "CERTIFICATE OF APPROPRIATENESS" PURSUANT TO THE REQUIREMENTS OF SECTION 315-42B. AND E. OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-42B. and E. of the City of Burlington Zoning Ordinance, the following are the standards of review for the approval of a "Certificate of Appropriateness" by the Common Council pursuant to the requirements of section 315-42B. and E. of the City of Burlington Zoning Ordinance. Following each item listed below is a comment (*in underlined italics*) on whether the application meets each specified standard for approval.

- B. District standards. District standards shall conform to those required in the underlying basic zoning district. In addition, the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines," as amended, published by the Burlington Historic Downtown Main Street District, shall be used by the Historic Preservation Commission, Plan Commission, and Common Council as HPO District design standards and guidelines.

Hanging Sign

As indicated earlier in this memorandum, Meehan & Company, Inc. assumes the proposed sign is to be made of PVC (a plastic like material). Page 14 of the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines," as amended, published by the Burlington Historic Downtown Main Street District, signs constructed of plastic materials are not permitted. However, it is the understanding of Meehan & Company, Inc. that recent past policy, interpretations, and actions by the Historic Preservation Commission regarding other applications for similar signs and the use of PVC materials for such similar signs, that such signs have been permitted in the recent past due, in part, to the higher degree of longer term durability of PVC than painted wood signs.

Awning and Awning Signage

Based upon the application materials submitted, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" would be met since the proposed awning signs are limited to application upon the valances of the awnings.

- E. Limitation on structural or appearance changes. Structural changes shall be regulated in the following manner:
- (1) Certificate of appropriateness required. There shall be no alteration in the architectural appearance of any structure within an HPO District without the approval or conditional approval of plans for such alterations by the Common

Council. In determining whether to grant approval or approve with conditions or reject the request for a certificate of appropriateness, the Common Council shall take into consideration the recommendation of the Historic Preservation Commission. The recommendation of the Historic Preservation Commission to the Common Council may be to grant approval, approve with conditions or reject the request for a certificate of appropriateness. For the purposes of this section, alterations shall include any exterior change (including painting), addition to, or demolition of any part or all of the exterior of a structure. The Common Council shall make its decision within 45 days of its receipt of the Historic Preservation Commission's recommendation regarding the application for a certificate of appropriateness. Persons who are granted a certificate of appropriateness by the Common Council are required to obtain all other permits required by this Municipal Code or by the State of Wisconsin, from the appropriate authority, for the proposed alteration. [Amended 2-20-2001 by Ord. No. 1650(54); 12-7-2004 by Ord. No. 1762(14)]

Hanging Sign

Based upon the application materials submitted, recent past policy, interpretations, and actions by the Historic Preservation Commission regarding other applications for similar signs and the use of PVC materials for such similar signs, it appears that the intent of the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" would be met since the design embodied by the sign appears historic even though the material upon which the signage is placed is PVC (Polyvinyl chloride)--a type of plastic.

Awning

Based upon the application materials submitted, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" need to be met as determined by the Historic Preservation Commission. However, as indicated earlier, the awning material has not been formally indicated by the applicant in writing. However, the applicant has verbally indicated that the material to be used is to be a "Kelly Green" fabric. Therefore, the actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Sign Permit and Certificate of Appropriateness.

- (2) Basis for approval. No alterations shall be permitted that would tend to destroy or seriously impair the particular character and quality of the HPO Historic Preservation Overlay District. No change or alteration (including painting) of an historic structure, historic site, or historic district shall be permitted which destroys, seriously impairs, or significantly alters its character in terms of its historical or architectural interest.

Hanging Sign

Based upon the application materials submitted, it appears that the intent of the design guidelines as set forth in the publication titled "Burlington Historic

Downtown Main Street District: Design Quality - Standards Guidelines" would be met.

Awning

Based upon the application materials submitted, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" need to be met as determined by the Historic Preservation Commission. However, as indicated earlier, the awning material has not been formally indicated by the applicant in writing. However, the applicant has verbally indicated that the material to be used is to be a "Kelly Green" fabric. Therefore, the actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Sign Permit and Certificate of Appropriateness.

- (3) Repairs, destruction and reconstruction. [Amended 12-7-2004 by Ord. No. 1762(14)]

- (a) Notwithstanding the provisions of Section 315-84, total lifetime structural repairs, restoration, or alterations of a preservation structure may exceed 50% of the City's equalized value of the structure if the Common Council determines, upon recommendation by the Historic Preservation Commission, that the structure will be repaired, restored, or altered in a way that maintains the character of the structure and the character of the HPO District without significant alteration or change in such character. No person in charge of an historic structure or improvement in an HPO Historic Preservation Overlay District shall be granted a permit to demolish such property without review and recommendations by the Historic Preservation Commission to the Common Council.

Not applicable.

- (b) In the case of a two-story structure in the HPO District which has been destroyed, the Common Council may determine, upon recommendation by the Historic Preservation Commission, that the replacement structure may be constructed as a one-story structure but in a way that maintains the historic character of the destroyed two-story structure and the character of the HPO District streetscape facade without significant alteration or change in such character.

Not applicable.

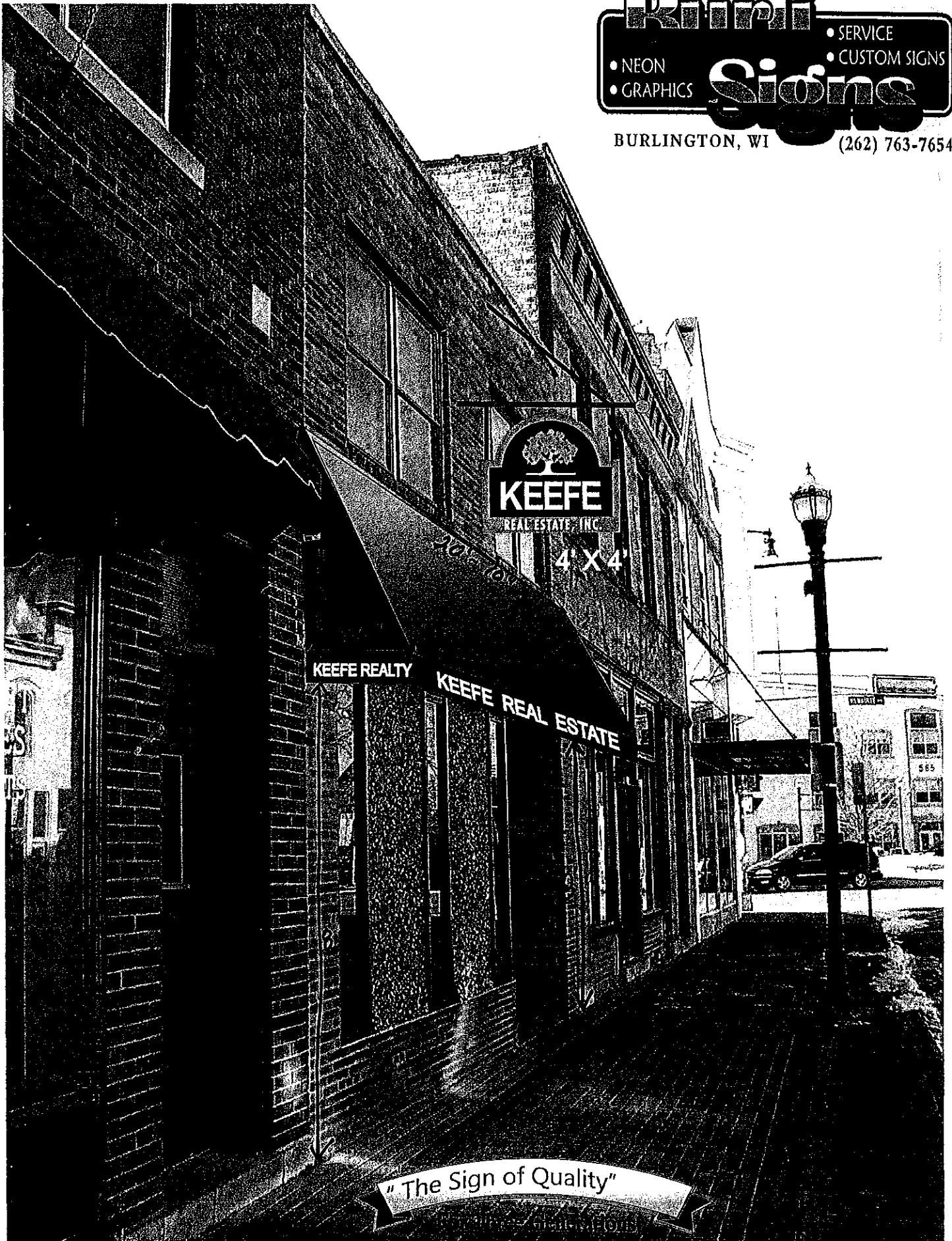
RECOMMENDATIONS

Based upon the foregoing findings, it is recommended that the Historic Preservation Commission recommend to the Common Council the conditional approval of the proposed "Certificate of Appropriateness" and "Sign Permit" for the proposed hanging sign and the proposed awning with its associated signage subject to:

- a. *The application and various other attached materials submitted to the City by the applicant (subject to paragraph b. below); and*
- b. *The actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Sign Permit and Certificate of Appropriateness; and*
- c. *Any additional conditions which may be recommended by the Historic Preservation Commission consistent with City Zoning Ordinance requirements for the HPO Historic Preservation Overlay District.*

■ ■ ■

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CITY OF BURLINGTON

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Committee of the Whole Item Number: 12	Date: May 3, 2011
Submitted By: Patrick Meehan, City Planner	Subject: Motion 11-707 to approve a Certificate of Appropriateness and Sign Permit Application in the HPC Overlay District for 588 N. Pine Street (The Munch Box).

Details:

The Historic Preservation Commission (HPC) recommends approval of the Certificate of Appropriateness and Sign Permit Application for the project located at 588 N. Pine Street.

The proposed project consists of:

- Installation of One, 6' x 5' (30-square-foot sign image area) logo sign on the center portion of the display window located on the left side of the N. Pine Street entrance door to the building.
- One, 4' x 0.75' (3-square-foot sign image area) internet address/telephone number sign also located on the lower portion of the display window.
- One, 5' x 0.50' (2.5-square-foot sign image area) "America's Appetizer Restaurant" sign located on the lower portion of the transom window.
- One, 3' x 0.50' (1.5-square-foot sign image area) "Fun Finger Food!" sign located on the upper portion of the display window.
- One, 3' x 0.50' (1.5-square-foot sign image area) "It's Munchin Time!" sign located on the lower portion of the display window.
- One, 10" X 10" (0.70-square-foot sign image area) of the round "Munchin" logo sign located on the lower right hand corner of the transom window.

These Certificate of Appropriateness and Sign Permit Applications were reviewed and approved at the March 24, 2011 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

Financial Remarks:

The approved items will be paid 100% by the business owner/building owner.

Executive Action:

This item is for discussion at the May 3, 2011 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

MEEHAN & COMPANY, INC.

PATRICK J. MEEHAN, AICP, AIA
PRESIDENT

P. O. BOX 925
HALES CORNERS, WI 53130-0925
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MEMORANDUM

TO: Historic Preservation Commission
City of Burlington

FROM: Meehan & Company, Inc.
Patrick J. Meehan, AICP

SUBJECT: Review of the Application for a "Certificate of Appropriateness" and "Sign Permit Application" for Signage to Property Located at 588 N. Pine Street in the City of Burlington (Zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District). Applicant: Douglas A. Helnore and Dawn Wenzel-Helnore. Property Owner: Dave Flitcroft.

DATE: February 26, 2011

INTRODUCTION

Pursuant to the February 23, 2011 request of the office of the City Building Inspector of the City of Burlington, Meehan & Company, Inc. has prepared the following review of the application for a "Certificate of Appropriateness" and "Sign Permit Application" for signage to property located at 588 N. Pine Street in the City of Burlington. The subject property is zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District.

- Based upon the data and drawings submitted by the applicant, the proposal calls for the installation of a total of six (6) window signs as follows:
 - One, 6-feet wide by 5-feet high (30-square-foot sign image area) logo sign on the center portion of the display window located on the left side of the N. Pine Street entrance door to the building.
 - One, 4-feet wide by 0.75-foot high (3-square-foot sign image area) internet address/telephone number sign also located on the lower portion of the display window located on the left side of the N. Pine Street entrance door to the building.
 - One, 5-feet wide by 0.50-foot high (2.5-square-foot sign image area) "America's Appetizer Restaurant" sign located on the lower portion of the transom window on left side of the N. Pine Street entrance door to the building.
 - One, 3-feet wide by 0.50-foot high (1.5-square-foot sign image area) "Fun Finger Food!" sign located on the upper portion of the display window on the right side of the N. Pine Street entrance door to the building.
 - One, 3-feet wide by 0.50-foot high (1.5-square-foot sign image area) "It's Munchin Time!" sign located on the lower portion of the display window on the right side of the N. Pine Street entrance

door to the building.

- One, 10" X 10" (0.70-square-foot sign image area) of the round "Munchin" logo sign located on the lower right hand corner of the transom window on the right side of the N. Pine Street entrance door to the building.

The total square feet of window and transom signs proposed is 39.2 square feet. The total of all window and transom signs (excluding the door window sign) represents about 15.2 percent of the 258+/- square feet of total frontal display and frontal transom window area.

- Based upon the data and drawings submitted by the applicant, the proposal calls for the installation of a total of one (1) window sign placed in window of the N. Pine Street entrance door to the building. This sign is proposed to be 2-feet wide by 3-feet high (6 square feet).

Based upon data obtained by Meehan & Company, Inc. by scaling from the elevation photograph submitted by the applicant showing the proposed signage and placement, the door window glass appears to measure 30+/- inches X 90+/- inches—a total of 18.75+/- square feet. The proposed door window sign appears to cover about 32+/- percent of the total door glass area. Under the provisions of Section 315-64 of the City Zoning Ordinance, window signs cannot exceed 30% of the glass areas that are used for exits/entrances or necessary for visibility to exits/entrances. If the applicant has more accurate data on the actual measurement of this proposed door window sign and the size of the door window, this should be provided to the Historic Preservation Commission and City Building Inspector to the actual measurements can be used to determine if the proposed sign size is excessive.

Based the application materials submitted, it is the understanding of Meehan & Company, Inc. that the signs are proposed to be Vinyl placed upon the inside of the display windows, transoms, and the door glass. The colors proposed to be used for the lettering are brown, black, and golden yellow. Based upon the photograph submitted by the applicant and also based upon the photograph submitted (and its indication of what appears to be a partial bay window protrusion above the first floor lintel), the building appears to be two stories in height.

CONSISTENCY WITH "CERTIFICATE OF APPROPRIATENESS" APPLICATION REQUIREMENTS OF SECTION 315-139 OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-139 of the City of Burlington Zoning Ordinance, the following items are required to be submitted by an applicant for a "Certificate of Appropriateness." Following each item listed below is a comment (*in underlined italics*) on whether the applicant meets each specified application requirement:

- A. Architectural plans, elevations, photographs, color samples, and/or perspective drawings. Architectural plans, elevations, and/or perspective drawings and sketches illustrating the design and character of all proposed alterations (except painting) shall be submitted. A color building elevation or perspective rendering of the exterior of the proposed building(s) shall be required for review by the Historic Preservation Commission for all types of alterations except painting. Said elevations and perspective drawings, when required, shall indicate the location and placement of all auxiliary building equipment, such as heating, ventilating and/or air-conditioning

equipment. These drawings are to be drawn to a recognized architectural scale with the name of the project noted. Building plans shall be submitted with all detail drawn on each elevation. Plans drawn with partial building details indicated will be returned to the applicant for redrafting. For alterations consisting of painting only, color samples and photographs shall be submitted indicating the areas to be painted.

Complete to the extent needed to convey the proposed work to be accomplished.

- B. Name and address. Name and address of the applicant.

Complete.

- C. Owner/developer. Owner's and/or developer's name and address.

Complete.

- D. Architect/engineer. Architect's and/or engineer's name and address.

No architect/engineer appears to be involved with the proposed project.

- E. Date. Date of submittal of plans.

Complete.

- F. Scale. Scale of drawings noted on each drawing.

Complete to the extent needed to convey the proposed work to be accomplished. One photograph has been submitted illustrating the conditions and drawings of the signs have been submitted to indicate the size, location, design, and colors which are proposed for the proposed signs.

- G. Building type, size, and location. The type, size, and location of all structures with all building dimensions shown.

Complete to the extent needed to convey the proposed signage to be placed in the various window areas. While window and door glass dimensions have not been submitted, Meehan & Company, Inc. Was able to scale sizes from the photographs and photo submitted to the extent needed to evaluate the proposal.

- H. Height. The height of building(s).

Based upon the photograph submitted (and its indication of what appears to be a partial bay window protrusion above the first floor lintel), the building height appears to be two stories.

- I. Exterior materials samples to be provided. Samples of exterior materials and their colors.

Not applicable; however, sign colors have been indicated.

- J. Additional information may be required. Additional information and data that may be required by the City Administrator, City Planner, City Engineer, Historic Preservation

Commission or the Common Council may include, but not be limited to, the following upon request:

- (1) Photographs from the site of adjacent neighboring structures and/or property.

Photograph has been submitted by the applicant illustrating the existing conditions which are proposed to be addressed by the proposed signage on the subject building. No photographs have been submitted of abutting structures.

- (2) Detailed drawings of decorative elements of the building(s) or structure(s).

Not applicable since there are no architectural decorative elements involved with the proposed signs.

- (3) Sectional building or site drawings drawn to a recognized engineering or architectural scale.

Not applicable since the application is only for proposed window signs.

CONSISTENCY WITH HPO DISTRICT STANDARDS OF REVIEW FOR THE COMMON COUNCIL'S APPROVAL OF A "CERTIFICATE OF APPROPRIATENESS" PURSUANT TO THE REQUIREMENTS OF SECTION 315-42B. AND E. OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-42B. and E. of the City of Burlington Zoning Ordinance, the following are the standards of review for the approval of a "Certificate of Appropriateness" by the Common Council pursuant to the requirements of section 315-42B. and E. of the City of Burlington Zoning Ordinance. Following each item listed below is a comment (in underlined italics) on whether the application meets each specified standard for approval.

- B. District standards. District standards shall conform to those required in the underlying basic zoning district. In addition, the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines," as amended, published by the Burlington Historic Downtown Main Street District, shall be used by the Historic Preservation Commission, Plan Commission, and Common Council as HPO District design standards and guidelines.

Proposed Sign Material

While the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" do not appear to specifically address the use of Vinyl window signage, it appears that the proposed use of Vinyl signage applied to the inside of windows would meet the requirements set forth under the provisions of Section 315-74(B)(2) of the City Zoning Ordinance since the proposed window sign Vinyl material is specifically allowed.

- E. Limitation on structural or appearance changes. Structural changes shall be regulated in the following manner:

- (1) Certificate of appropriateness required. There shall be no alteration in the

architectural appearance of any structure within an HPO District without the approval or conditional approval of plans for such alterations by the Common Council. In determining whether to grant approval or approve with conditions or reject the request for a certificate of appropriateness, the Common Council shall take into consideration the recommendation of the Historic Preservation Commission. The recommendation of the Historic Preservation Commission to the Common Council may be to grant approval, approve with conditions or reject the request for a certificate of appropriateness. For the purposes of this section, alterations shall include any exterior change (including painting), addition to, or demolition of any part or all of the exterior of a structure. The Common Council shall make its decision within 45 days of its receipt of the Historic Preservation Commission's recommendation regarding the application for a certificate of appropriateness. Persons who are granted a certificate of appropriateness by the Common Council are required to obtain all other permits required by this Municipal Code or by the State of Wisconsin, from the appropriate authority, for the proposed alteration. [Amended 2-20-2001 by Ord. No. 1650(54); 12-7-2004 by Ord. No. 1762(14)]

Proposed Sign Material

As indicated above, while the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" do not appear to specifically address the use of Vinyl window signage, it appears that the proposed use of Vinyl signage applied to the inside of windows would meet the requirements set forth under the provisions of Section 315-74(B)(2) of the City Zoning Ordinance since the proposed window sign Vinyl material is specifically allowed.

- (2) Basis for approval. No alterations shall be permitted that would tend to destroy or seriously impair the particular character and quality of the HPO Historic Preservation Overlay District. No change or alteration (including painting) of an historic structure, historic site, or historic district shall be permitted which destroys, seriously impairs, or significantly alters its character in terms of its historical or architectural interest.

Proposed Sign Material

Again, as indicated above, while the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" do not appear to specifically address the use of Vinyl window signage, it appears that the proposed use of Vinyl signage applied to the inside of windows would meet the requirements set forth under the provisions of Section 315-74(B)(2) of the City Zoning Ordinance since the proposed window sign Vinyl material is specifically allowed.

- (3) Repairs, destruction and reconstruction. [Amended 12-7-2004 by Ord. No. 1762(14)]
 - (a) Notwithstanding the provisions of Section 315-84, total lifetime structural repairs, restoration, or alterations of a preservation structure may exceed 50% of the City's equalized value of the structure if the Common Council determines, upon recommendation by the Historic

Preservation Commission, that the structure will be repaired, restored, or altered in a way that maintains the character of the structure and the character of the HPO District without significant alteration or change in such character. No person in charge of an historic structure or improvement in an HPO Historic Preservation Overlay District shall be granted a permit to demolish such property without review and recommendations by the Historic Preservation Commission to the Common Council.

No comment.

- (b) In the case of a two-story structure in the HPO District which has been destroyed, the Common Council may determine, upon recommendation by the Historic Preservation Commission, that the replacement structure may be constructed as a one-story structure but in a way that maintains the historic character of the destroyed two-story structure and the character of the HPO District streetscape facade without significant alteration or change in such character.

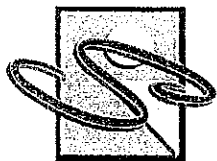
Not applicable.

RECOMMENDATIONS

Based upon the foregoing findings, it is recommended that the Historic Preservation Commission recommend to the Common Council the approval of the proposed "Certificate of Appropriateness" and "Sign Permit" for the proposed signs subject to:

- a. *The application and various other attached materials submitted to the City by the applicant in compliance with Sections 315-42B. and E.; Section 315-74; and Section 315-139 of the City of Burlington Zoning Ordinance; and*
- b. *That all proposed Vinyl signage be placed on the inside of the windows; and*
- c. *Based upon data obtained by Meehan & Company, Inc. by scaling from the elevation photograph submitted by the applicant showing the proposed signage and their placement, the door window glass appears to measure 30+/- inches X 90+/- inches—a total of 18.75+/- square feet. The proposed door window sign appears to cover about 32+/- percent of the total door glass area. Under the provisions of Section 315-64 of the City Zoning Ordinance, window signs cannot exceed 30% of the glass area of the glass areas that are used for exits/entrances or necessary for visibility to exits/entrances. Therefore, the signage in the door shall not exceed this 30% maximum sign area. It is, therefore also recommended that the applicant provide to the Historic Preservation Commission and City Building Inspector more accurate data on the actual size of this proposed door window sign and the actual size of the door window upon which it is to be affixed, in order to determine if the proposed sign size is excessive; and*
- d. *Any additional conditions which may be recommended by the Historic Preservation Commission consistent with City Zoning Ordinance requirements for the HPO Historic Preservation Overlay District.*

■ ■ ■



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Logo = 5 ft W x 29"H



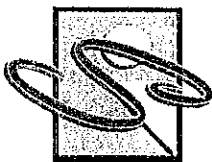
WINDOW IMAGE AREA 6'W x 5'H

Vinyl to fit into 5'w X 4'h graphic area.

This copy
12" h x 34" w



Scroll lines to go around logo for Historic Look - see other window layout
These lines will be white.



RIVERVIEWSTUDIO
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Window vinyl 2-15-11

JENNIFER MILLER

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1480 SPRING PRAIRIE RD. BURLINGTON, WI 53005

RIVERVIEWSTUDIO@WIERR.COM

5'W
America's Appetizer Restaurant 6"h

36"W
Fun Finger Food! 6"h

36"W
It's Munchin Time! 6"h

4'W
www.ourmunchbox.com 9"h
2010-11-15 11:44 AM



10"W x 10"H



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Window vinyl 2-15-11

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CITY OF BURLINGTON

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Committee of the Whole Item Number: 13	Date: May 3, 2011
Submitted By: Patrick Meehan, City Planner	Subject: Motion 11-708 to approve a Certificate of Appropriateness and Sign Permit Application in the HPC Overlay District for 596 N. Pine Street (Fred's Burgers).

Details:

The Historic Preservation Commission (HPC) recommends approval of the Certificate of Appropriateness and Sign Permit Application for the project located at 588 N. Pine Street.

The proposed project consists of:

- The construction of a 1-story addition to the Milwaukee Avenue-facing, existing building. The proposed addition is proposed to be constructed of brick to match the brick of the existing masonry building.
- Installation of a decorative rail defining the edge of the covered exterior entryway to the building and a wood fence trash enclosure.
- Installation of three windows—all of which face N. Pine Street.
- Installation of an awning extending across a portion of the facade of the proposed building addition.
- Installation of a new door serving the proposed addition and five windows—all of which face Milwaukee Avenue.
- Installation of an awning (identified as 'OPTIONAL FABRIC AWNING on the plans) is indicated as extending in length of about 30+/- feet of the facade facing Milwaukee Avenue and extending 4' over the Milwaukee Avenue sidewalk.
- Installation of a ramp (with a corresponding rail) to serve persons with disabilities is also indicated on the Milwaukee Avenue elevation.

These Certificate of Appropriateness and Sign Permit Applications were reviewed and approved at the April 28, 2011 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

Financial Remarks:

The approved items will be paid 100% by the business owner/building owner.

Executive Action:

This item is for discussion at the May 3, 2011 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

MEEHAN & COMPANY, INC.

PATRICK J. MEEHAN, AICP, AIA
PRESIDENT

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PHONE: (414) 529-9559
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MEMORANDUM

TO: Historic Preservation Commission
City of Burlington

FROM: Meehan & Company, Inc.
Patrick J. Meehan, AICP

SUBJECT: Review of the Application for a "Certificate of Appropriateness" for a Proposed Building Addition and Awning to Property Located at 596 N. Pine Street in the City of Burlington (Zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District). Applicant: Mr. Fred Mabson, Property; Architect: Stelling and Associates Architects, Ltd.

DATE: April 18, 2011

INTRODUCTION

Pursuant to the April 14, 2011 telephone request of June Bobier of the office of the City Building Inspector of the City of Burlington, Meehan & Company, Inc. has prepared the following review of the application for a "Certificate of Appropriateness" for a proposed building addition and awning to property located at 596 N. Pine Street in the City of Burlington. The subject property is zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District.

The drawings and data submitted by the applicant include the following:

- a. "Application for a Certificate of Appropriateness," 2 pages, undated.
- b. "Transmittal Letter," from Stelling & Associates Architects, Ltd. to the City of Burlington, 1 page, dated April 8, 2011.
- c. One, 8.5" X 11" color photograph dated March 16, 2011 of the N. Pine Street-facing, building facade indicating existing conditions.
- d. One, 8.5" X 11" color photograph dated March 16, 2011 of the Milwaukee Avenue-facing, building facade indicating existing conditions.
- e. One, 8.5" X 11" black and white photograph dated 1953 of the N. Pine Street-facing, building facade indicating the 1953 existing conditions.
- f. One, 8.5" X 11" black and white photograph dated 1962 of the Milwaukee Avenue-facing, building facade indicating the 1962 existing conditions.
- g. "Proposed Site Plan: Sheet AS100," 1 Sheet, dated 4/8/11, as prepared by Stelling & Associates Architects, Ltd.
- h. "Proposed Floor Plan: Sheet A100," 1 Sheet, dated 4/8/11, as prepared by Stelling & Associates Architects, Ltd.
- i. "Proposed West Elevation: Sheet A200," 1 Sheet, dated 4/8/11, as prepared by Stelling & Associates Architects, Ltd.

- j. "Proposed East Elevation: Sheet A201" 1 Sheet, dated 4/8/11, as prepared by Stelling & Associates Architects, Ltd.
- k. "Proposed North Elevation: Sheet A202," 1 Sheet, dated 4/8/11, as prepared by Stelling & Associates Architects, Ltd.

Based upon the data and drawings submitted by the applicant, the proposal calls for the following:

- The construction of a 1-story addition to the Milwaukee Avenue-facing, existing building. The proposed addition is proposed to be constructed of brick to match the brick of the existing masonry building. The total area of building addition is not indicated on the proposed plans for the addition.
- The proposed east elevation indicates a decorative rail defining the edge of the covered exterior entryway to the building and a wood fence trash enclosure.
- The proposed N. Pine Street building elevation (labeled as west elevation) indicates a new door serving the proposed addition and three windows—all of which face N. Pine Street. The horizontal "band" of windows evident in the existing N. Pine Street-facing facade is proposed to be extended to include the facade of the proposed addition. In addition, an awning is indicated as extending across a portion of the facade of the proposed building addition.
- The proposed Milwaukee Avenue building elevation (labeled as north elevation) indicates a new door serving the proposed addition and five windows—all of which face Milwaukee Avenue. An awning (identified as 'OPTIONAL FABRIC AWNING' on the plans) is indicated as extending in length of about 30+/- feet of the facade facing Milwaukee Avenue and extending 4-feet over the Milwaukee Avenue sidewalk. A ramp (with a corresponding rail) to serve persons with disabilities is also indicated on the Milwaukee Avenue elevation.

A small, optional, landscape area is also indicated at the northeast corner of the subject property.

Based upon the application materials submitted (including the various photographs of the existing conditions), it is the understanding of Meehan & Company, Inc. that material types, colors, and workmanship are to match the historic mortar and brick including its historic placement and tuck-pointing style. Also based upon the application materials submitted, it is the further understanding of Meehan & Company, Inc. that the proposed project does not include the restoration and/or improvement of the storefront of the existing building, the replacement of any window sills, or the replacement of any windows (or other openings) and does not include any type of cleaning or application of surface treatment such as paint or stain on the existing building.

No new signage or exterior lighting has been submitted by the applicant.

REQUIREMENTS OF CITY ZONING ORDINANCE SECTION 315-61A "AWNINGS" IN THE B-2 DISTRICT

Awnings may be placed upon any building or structure located in the B-2 Central Business District upon the following conditions, and such awning shall be permitted to extend beyond the lot line of the parcel and over the public right-of-way above the sidewalk on the following conditions:

(a) A detailed set of plans shall be submitted to the Building Inspector for his review, and the Building Inspector shall issue a permit for the construction and installation of the awning if it conforms with this Subsection.

(b) The awning shall extend not more than four feet beyond the building upon which it is placed and not closer than two feet to the back of curb where it abuts the public sidewalk.

The proposed awning meets the above requirement.

(c) The awning shall not be greater than five feet in height (as measured from the bottom of the awning to the top of the awning), unless authorized greater in the HPO District by the Historic Preservation Commission, and shall not be less than 7.5 feet above the sidewalk (as measured from the bottom of the awning).

The height and distance above the sidewalk of the proposed "OPTIONAL 4'-0" PROJECTING FABRIC AWNING" is not indicated (with scaled measurements) on the various plans submitted by the applicant, therefore these requirements will need to be met by the proposed "OPTIONAL 4'-0" PROJECTING FABRIC AWNING" if installed by the owner.

(d) The awning shall be constructed of cloth, canvas, sheet metal, or other lightweight material. Awnings located in the HPO Historic Preservation District shall be constructed of cloth, canvas or other material(s) approved by the Historic Preservation Commission.

The precise awning material (other than it is proposed to be "FABRIC") has not been formally indicated by the applicant in writing. Therefore, the actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Certificate of Appropriateness.

(e) The awning shall contain no signs or advertising except as otherwise permitted by this chapter.

[Note: No signage is proposed to be placed upon the awning at this time.]

(f) The awning shall not have any external lighting but may have incandescent lighting for safety or security.

This requirement appears to be met by the awning proposed since no lighting is proposed by the applicant.

CONSISTENCY WITH "CERTIFICATE OF APPROPRIATENESS" APPLICATION
REQUIREMENTS OF SECTION 315-139 OF THE CITY OF BURLINGTON ZONING
ORDINANCE

Under the requirements of Section 315-139 of the City of Burlington Zoning Ordinance, the following items are required to be submitted by an applicant for a "Certificate of Appropriateness." Following each item listed below is a comment (*in underlined italics*) on whether the applicant meets each specified application requirement:

- A. Architectural plans, elevations, photographs, color samples, and/or perspective drawings. Architectural plans, elevations, and/or perspective drawings and sketches illustrating the design and character of all proposed alterations (except painting) shall be submitted. A color building elevation or perspective rendering of the exterior of the proposed building(s) shall be required for review by the Historic Preservation Commission for all types of alterations except painting. Said elevations and perspective drawings, when required, shall indicate the location and placement of all auxiliary building equipment, such as heating, ventilating and/or air-conditioning equipment. These drawings are to be drawn to a recognized architectural scale with the name of the project noted. Building plans shall be submitted with all detail drawn on each elevation. Plans drawn with partial building details indicated will be returned to the applicant for redrafting. For alterations consisting of painting only, color samples and photographs shall be submitted indicating the areas to be painted.

Complete to the extent needed to convey the proposed work to be accomplished. However, as indicated earlier, the awning material has not been formally indicated by the applicant in writing. Therefore, the actual awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Certificate of Appropriateness.

- B. Name and address. Name and address of the applicant.

Complete.

- C. Owner/developer. Owner's and/or developer's name and address.

Complete.

- D. Architect/engineer. Architect's and/or engineer's name and address.

The architect involved with the proposed project is indicated.

- E. Date. Date of submittal of plans.

Complete.

- F. Scale. Scale of drawings noted on each drawing.

Except as needed to further determine the exact proposed height of the proposed awning (as identified earlier in this memorandum), complete to the extent needed to convey the proposed work to be accomplished.

- G. Building type, size, and location. The type, size, and location of all structures with all building dimensions shown.

Complete to the extent needed to convey the proposed work to be accomplished.

- H. Height. The height of building(s).

Complete.

- I. Exterior materials samples to be provided. Samples of exterior materials and their colors.

The colors (brownish beige for the brick and green for the awning) proposed to be used on the proposed addition and proposed awning have been provided by the applicant with the submission of a color drawing of the sign which appears to display a mix of colors including white and shades of green. Therefore this requirement is met by the applicant.

- J. Additional information may be required. Additional information and data that may be required by the City Administrator, City Planner, City Engineer, Historic Preservation Commission or the Common Council may include, but not be limited to, the following upon request:

- (1) Photographs from the site of adjacent neighboring structures and/or property.

Four (4) photographs have been submitted by the applicant illustrating the existing conditions and three building elevation drawings (in color) have been submitted indicating the proposed exterior building conditions.

- (2) Detailed drawings of decorative elements of the building(s) or structure(s).

Not applicable since there are no decorative elements involved with the proposed work to be accomplished.

- (3) Sectional building or site drawings drawn to a recognized engineering or architectural scale.

Sectional building drawings are not provided but do not appear to be needed for the proposed project.

CONSISTENCY WITH HPO DISTRICT STANDARDS OF REVIEW FOR THE COMMON COUNCIL'S APPROVAL OF A "CERTIFICATE OF APPROPRIATENESS" PURSUANT TO THE REQUIREMENTS OF SECTION 315-42B. AND E. OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-42B. and E. of the City of Burlington Zoning Ordinance, the following are the standards of review for the approval of a "Certificate of Appropriateness" by the Common Council pursuant to the requirements of section 315-42B. and E. of the City of Burlington Zoning Ordinance. Following each item listed below is a comment (in underlined italics) on whether the application meets each specified standard for approval.

- B. District standards. District standards shall conform to those required in the underlying basic zoning district. In addition, the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines," as amended, published by the Burlington Historic Downtown Main Street District, shall be used by the Historic Preservation Commission, Plan Commission, and Common Council as HPO District design standards and guidelines.

Building Addition

Based upon the application materials submitted (including the various photographs of the existing conditions), it is the understanding of Meehan & Company, Inc. that masonry material types, colors, and workmanship are to match the historic mortar and brick including the historic placement and tuck-pointing style and the application does not include any type of cleaning or application of surface treatment such as paint or stain. Based upon the application materials submitted and the above, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" would be met.

Awning

Based upon the application materials submitted, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" would be met for the proposed awning subject to the minimum awning height requirements of the City Zoning Ordinance.

- E. Limitation on structural or appearance changes. Structural changes shall be regulated in the following manner:

- (1) Certificate of appropriateness required. There shall be no alteration in the architectural appearance of any structure within an HPO District without the approval or conditional approval of plans for such alterations by the Common Council. In determining whether to grant approval or approve with conditions or reject the request for a certificate of appropriateness, the Common Council shall take into consideration the recommendation of the Historic Preservation Commission. The recommendation of the Historic Preservation Commission to the Common Council may be to grant approval, approve with conditions or reject the request for a certificate of appropriateness. For the purposes of this section, alterations shall include any exterior change (including painting), addition to, or demolition of any part or all of the exterior of a structure. The Common Council shall make its decision within 45 days of its receipt of the Historic Preservation Commission's recommendation regarding the application for a certificate of appropriateness. Persons who are granted a certificate of appropriateness by the Common Council are required to obtain all other permits required by this Municipal Code or by the State of Wisconsin, from the appropriate authority, for the proposed alteration. [Amended 2-20-2001 by Ord. No. 1650(54); 12-7-2004 by Ord. No. 1762(14)]

Building Addition

Based upon the application materials submitted (including the 4 photographs of existing and past conditions) it does not appear that there would be a

negative alteration in the architectural appearance of any structure by the implementation of the proposed project.

Awning

Based upon the application materials submitted, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" need to be met as determined by the Historic Preservation Commission. However, as indicated earlier, the specific awning material has not been formally indicated by the applicant in writing. Therefore, the actual specific awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Certificate of Appropriateness.

- (2) Basis for approval. No alterations shall be permitted that would tend to destroy or seriously impair the particular character and quality of the HPO Historic Preservation Overlay District. No change or alteration (including painting) of an historic structure, historic site, or historic district shall be permitted which destroys, seriously impairs, or significantly alters its character in terms of its historical or architectural interest.

Building Addition

Based upon the application materials submitted (including the 4 photographs of existing and past conditions) it does not appear that the proposed project would result in any of the above destroying, seriously impairing, or significantly altering the character in terms of its historical or architectural interest.

Awning

Based upon the application materials submitted, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" need to be met as determined by the Historic Preservation Commission. However, as indicated earlier, the specific awning material has not been formally indicated by the applicant in writing. Therefore, the actual specific awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Certificate of Appropriateness.

- (3) Repairs, destruction and reconstruction. [Amended 12-7-2004 by Ord. No. 1762(14)]
- (a) Notwithstanding the provisions of § 315-84, total lifetime structural repairs, restoration, or alterations of a preservation structure may exceed 50% of the City's equalized value of the structure if the Common Council determines, upon recommendation by the Historic Preservation Commission, that the structure will be repaired, restored, or altered in a way that maintains the character of the structure and the character of the HPO District without significant alteration or change in such

character. No person in charge of an historic structure or improvement in an HPO Historic Preservation Overlay District shall be granted a permit to demolish such property without review and recommendations by the Historic Preservation Commission to the Common Council.

No comment.

- (b) In the case of a two-story structure in the HPO District which has been destroyed, the Common Council may determine, upon recommendation by the Historic Preservation Commission, that the replacement structure may be constructed as a one-story structure but in a way that maintains the historic character of the destroyed two-story structure and the character of the HPO District streetscape facade without significant alteration or change in such character.

Not applicable.

RECOMMENDATIONS

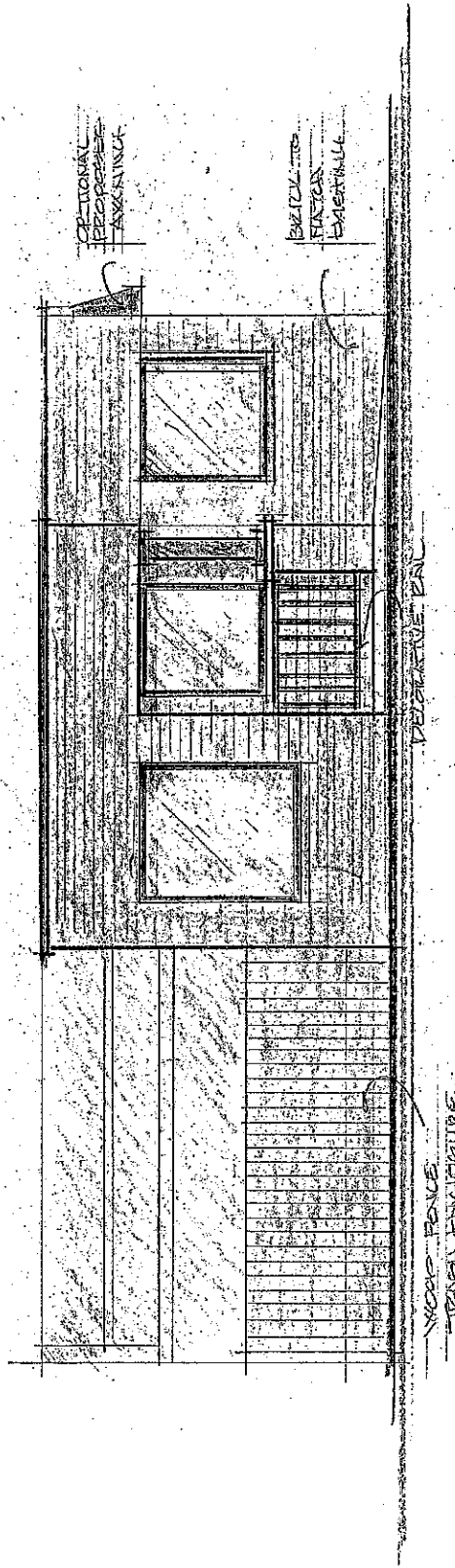
Based upon the foregoing findings, it is recommended that the Historic Preservation Commission recommend to the Common Council the approval of the proposed "Certificate of Appropriateness" subject to the following conditions:

1. The application and various other attached materials submitted to the City by the applicant for the "Certificate of Appropriateness" in compliance with Sections 315-42B. and E. and 315-139 of the City of Burlington Zoning Ordinance.
2. That material types, colors, and workmanship used for the proposed project are to match the historic mortar and brick including its historic placement and tuck-pointing style.
3. That the proposed project does not include any type of brick cleaning or application of surface treatment such as paint or stain.
4. That since the proposed awning represents a marked improvement to the Milwaukee Avenue facade and would relate better to the historic context of the historic downtown area with its inclusion rather than without its inclusion, that the Historic Preservation Commission deem that the awning is a required feature of the proposed building addition rather than merely an "OPTIONAL" feature.
5. The awning shall not be greater than five feet in height (as measured from the bottom of the awning to the top of the awning), unless authorized greater in the HPO District by the Historic Preservation Commission, and shall not be less than 7.5 feet above the sidewalk (as measured from the bottom of the awning). Since the specific height and distance above the sidewalk of the proposed "OPTIONAL 4'-0" PROJECTING FABRIC AWNING" is not indicated (with scaled measurements) on the various plans submitted by the applicant, therefore these requirements will need to be met by the proposed "OPTIONAL 4'-0" PROJECTING FABRIC

AWNING."

6. The specific awning material has not been formally indicated by the applicant in writing. Therefore, the actual specific awning material to be used is to be in compliance with the above requirement and as approved by the Historic Preservation Commission prior to the issuance of a Certificate of Appropriateness.
7. Any additional conditions which may be recommended by the Historic Preservation Commission consistent with City Zoning Ordinance requirements for the HPO Historic Preservation Overlay District.

■ ■ ■



1 PROPOSED EAST ELEVATION
N.T.S.

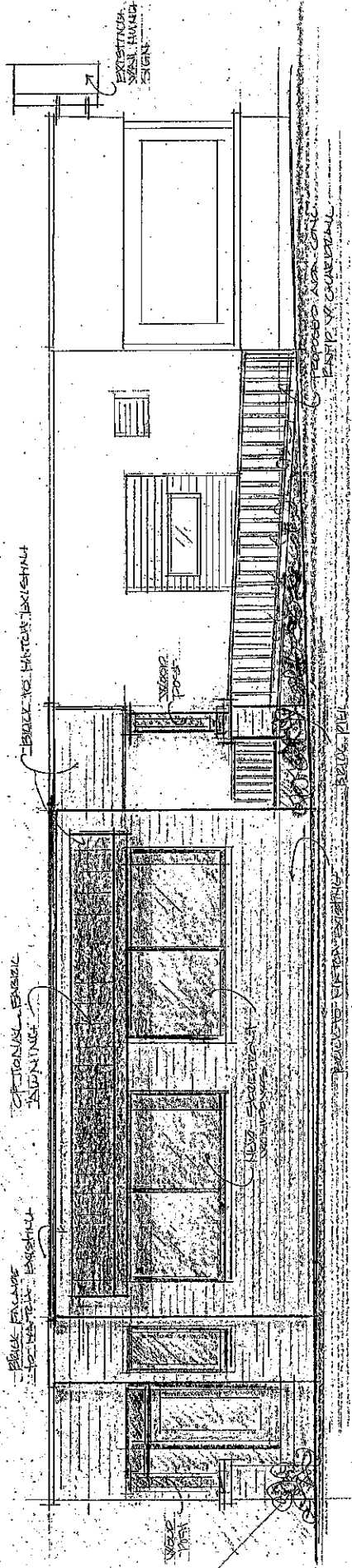
STELLING & ASSOCIATES
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FRED'S PARKVIEW
596 N. PINE STREET
BURLINGTON, WI 53105

DATE: 4-8-11

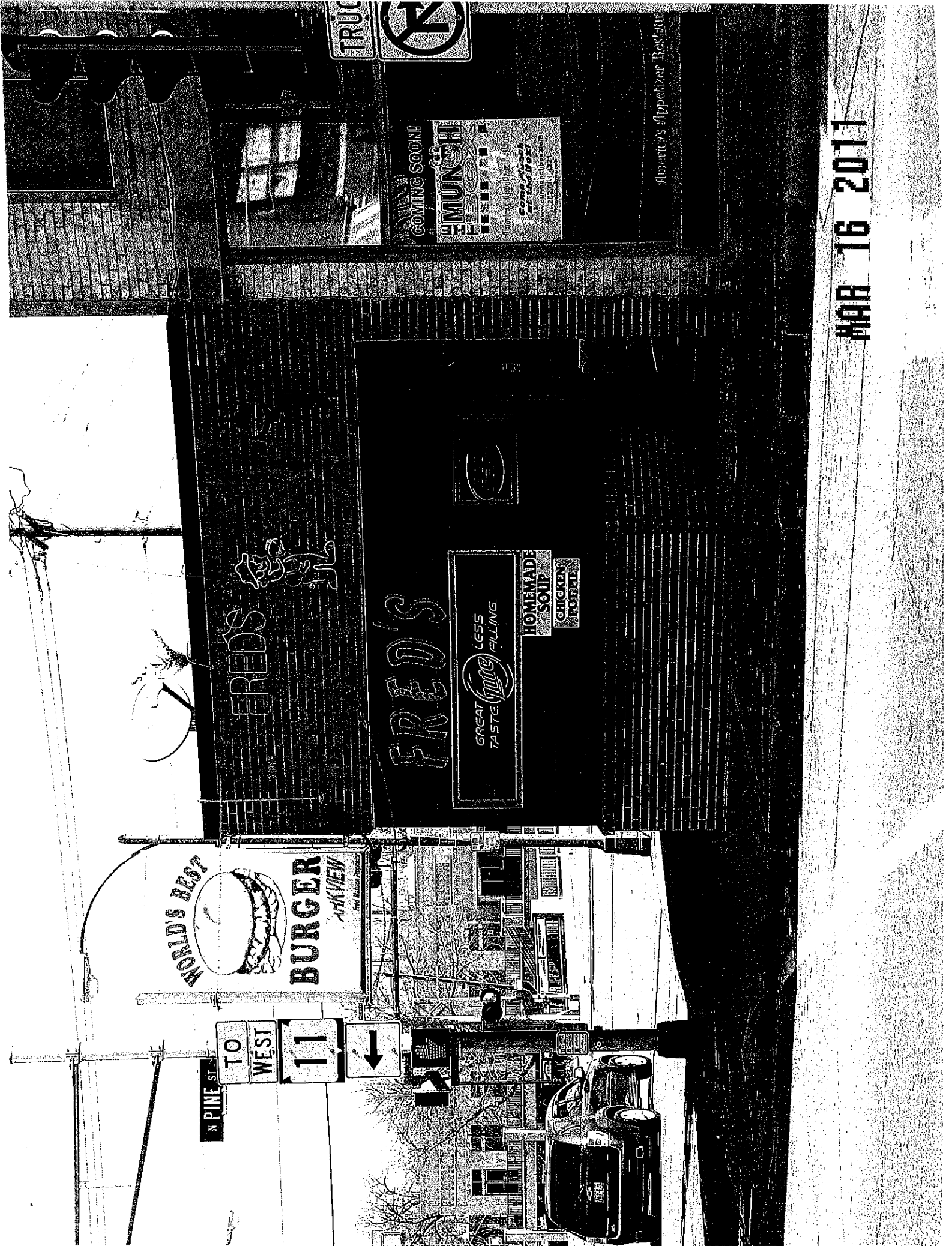
A201
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1 PROPOSED NORTH ELEVATION
N.T.S.

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